

**Government Open Source Policies**  
**March 2010**  
**Center for Strategic and International Studies**

Introductory Note  
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This is the seventh update to the CSIS Open Source Policy survey. The survey tracks governmental policies on the use of open source software as reported in the press or other media. As with the previous efforts, we included only explicit statements of policy and did not count decisions by governments to use or purchase open source software, as this may only reflect a decision based on price or product, not on the basis of support for open source philosophies.

The data in this report provides a snapshot of the current state of government open source policy. We divided open source policies into four categories: research, mandates (where the use of open source software is required), preferences (where the use of open source software is given preference, but not mandated), and advisory (where the use of open source software is permitted). We also looked at whether an initiative was made at the national, regional, or local level, and whether it was accepted, under consideration, or rejected.

The study has found a total of three hundred and sixty-four open source policy initiatives.

Changes in the software industry have affected open source policy. Many software companies are adopting business models that blend proprietary and open software development. One result of this shift is that software business models at many companies focus on how to capture the benefits of collaborative processes in coding (including collaborative processes involving both employees and non-employees). The business model at many companies has diversified beyond writing code to include the provision of services, acquisition of smaller innovative firms, and a focus on collaborative, standards-based development.

Standards and standard-setting are particularly important for business models that mix open and proprietary software. Standards provide the basis for the collaboration. While there is general consensus that “open” standards are best – as they expand the scope for collaboration and innovation – there is less consensus on what qualifies as open. Software designed to an open standard can be either proprietary or open source. The result is a complex mix of issues involving intellectual property and competition. The open standards discussion exhibits some of the same tensions (but not the same degree of heat) as the open source debate. We have not counted open standards initiatives unless, in our view, they embodied a de facto requirement to use open source software.

Prior to 2001, there was almost no activity in policy related to open-source, which could be the result of a lack of maturity in open-source software development up until this point and/or difficulty in finding documentation of older open-source policies online. The first year in which we see a significant increase in open-source policies is 2002, followed by a sharp jump in 2003 (see Figure 2). Potential explanations for the marked surge in open-source policies in 2003 could include increased lobbying efforts by large multinational firms invested in open-source, the growth of anti-Americanism and the desire to be less reliant on American brands, and the development of strong viable open-source alternatives. Between 2006 and 2007, we see a second boost in open-source policies, which could be attributed to a reaction to the

global release of a major closed-source software package, to avoid vendor lock-in. This reaction was likely driven in part by the desire of governments to avoid costly software renewal as well as unfavorable reception of the closed-source software package.

Our results show a greater propensity for the approval of open-source R&D initiatives relative to mandatory, preference, or advisory policies. This is intuitive as R&D initiatives require significantly less investment to implement.

As in the past, comments, corrections or new data are welcome.

## Summary Tables

**Table 1**

<b>Open Source Initiatives, (2000-2009)</b>				
	Approved	Proposed	Failed	Total
R&D	81	9	2	92
Advisory	70	19	4	93
Preference	78	27	10	115
Mandatory	16	21	17	54
<b>Total</b>	<b>245</b>	<b>76</b>	<b>33</b>	<b>354</b>

**Table 2**

<b>National and State &amp; Local Totals for all Initiatives</b>		
	<b>National</b>	<b>State and Local</b>
R&D	66	26
Advisory	75	18
Preference	62	53
Mandatory	32	22
<b>Total</b>	<b>235</b>	<b>119</b>
<b>Total Initiatives (354)</b>		

**Table 3**

<b>Regional Distribution*</b>				
	Approved	Proposed	Failed	Total
Europe	126	27	10	163
Asia	59	20	2	81
Latin America	31	15	11	57
North America	16	11	10	37
Africa	8	1	0	9
Middle East	5	2	0	7

**Table 4**

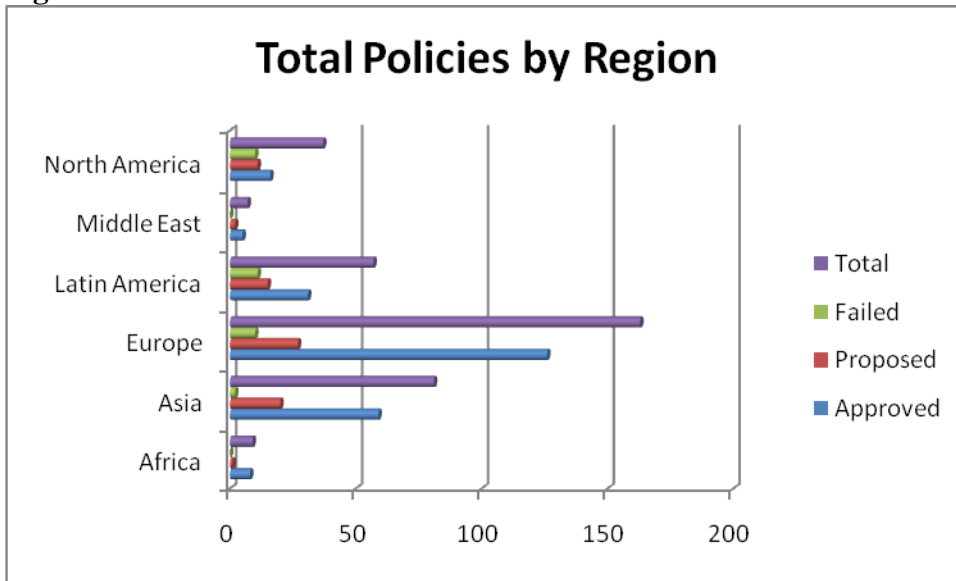
<b>Regional Distribution of Approved Initiatives*</b>				
	R&D	Advisory	Preference	Mandatory
Europe	45	37	36	8
Asia	19	16	22	2
Latin America	8	6	12	31
North America	5	8	2	1
Africa	3	1	4	8
Middle East	1	2	2	0

**Table 5**

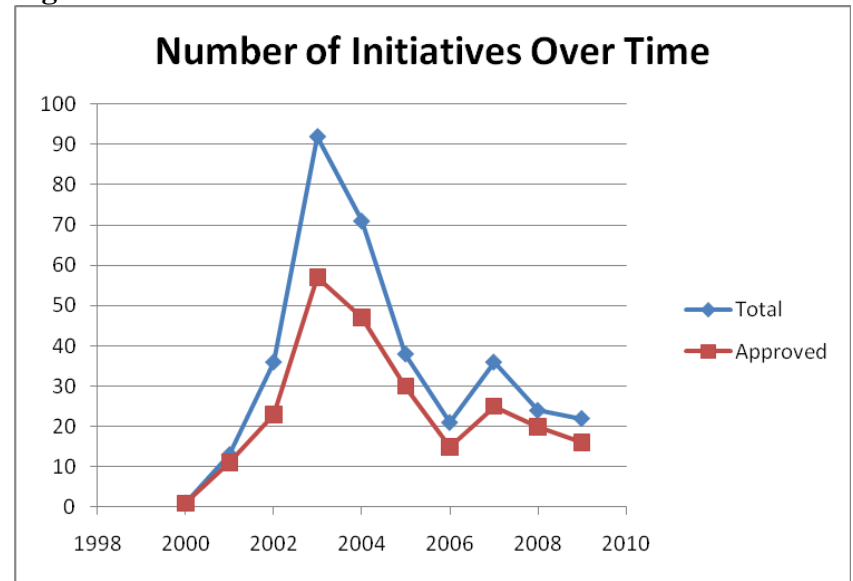
<b>Comparison of Approved Initiatives 2001-2009</b>									
	2001	2002	2003	2004	2005	2006	2007	2008	2009
% Advisory	63.6	39.1	24.6	27.7	23.3	20.0	24.0	35.0	25.0
% Preference	18.2	39.1	42.1	29.8	40.0	26.7	20.0	15.0	25.0
% R&D	18.2	21.7	33.3	34.0	36.7	40.0	32.0	35.0	43.8
% Mandatory	0.0	0.0	0.0	8.5	0.0	13.3	24.0	15.0	6.3

\* Regional distribution does not include initiatives from the UN or the OECD. Multinational initiatives were counted for each region represented.

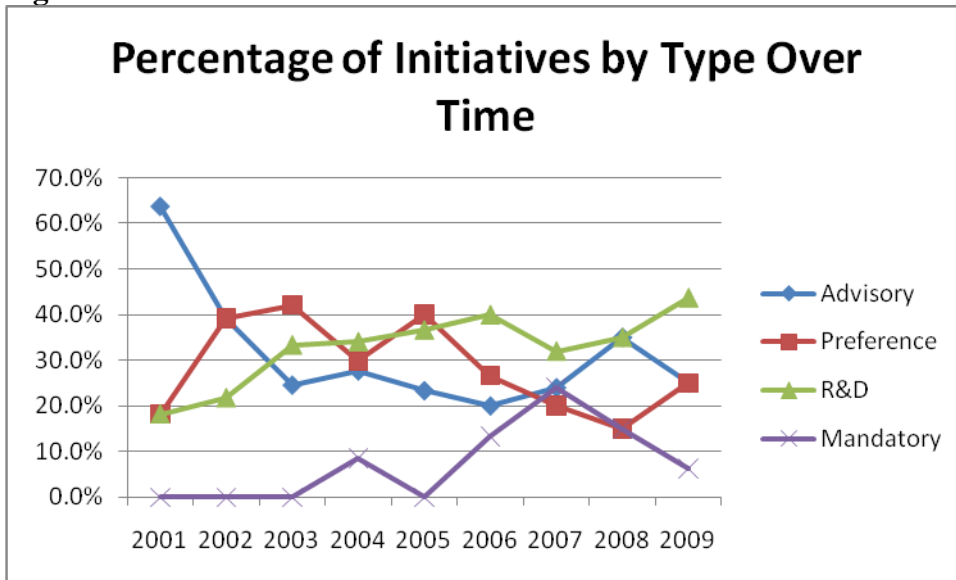
**Figure 1**



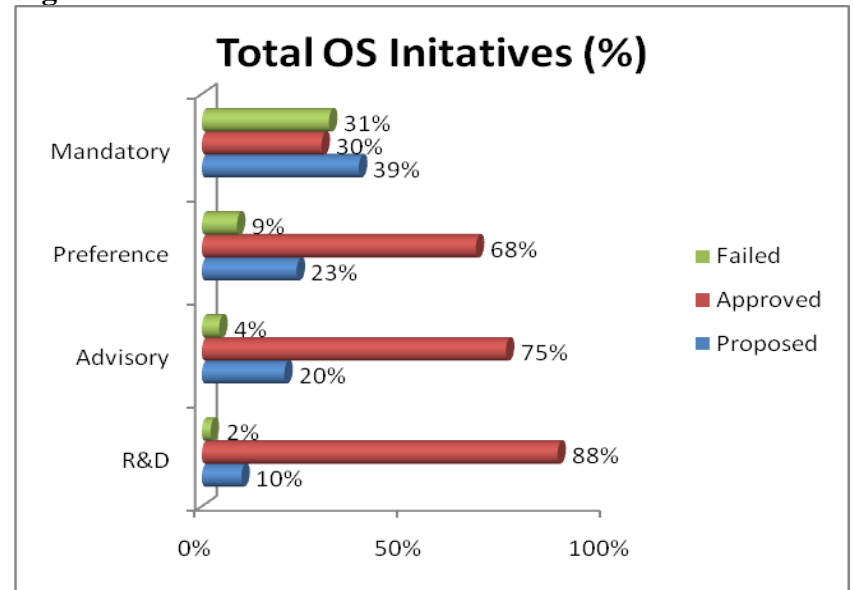
**Figure 2**



**Figure 3**



**Figure 4**



## National Open Source Policies

Data Compiled by Robert Hinck, Philip Kimmey, Joshua Roberts, Dima Qassim, and Denise Zheng

Policies that have been ADDED since the last version of this chart are listed in BLUE.  
Policies that have been UPDATED since the last version of this chart are listed in RED.

GOVERNMENT	BRANCH OR AGENCY	ACTION	DATE	STATUS	DETAILS AND SOURCES
Argentina	Legislative	Mandatory	Apr. 2001	Failed	Article 2 of the Bill 5613-D-00, known as the Bill of Free Software V5, stated: “The Executive Power, the Legislative Power, decentralized organizations and companies where the National State is a majority stockholder, will use for their systems and IT equipment only free programs (software).” After being reviewed by several committees, the bill expired in March 2002. <sup>1</sup>
Argentina	National Information Technology Office & National Information Office	Advisory	Mar. 2004	Approved	The two institutions, which coordinate IT policy and implementation, announced that they promote Linux in all applications in public administration. The rationale for this decision is lower costs, creating local employment, and security. <sup>2</sup>
Argentina	Legislative	Mandatory	Mar. 2002	Failed	The Bill of Free Software V5, mandating OSS in all federal government agencies and companies in which the state is the majority stockholder, was reintroduced as Bill 904-D-02 in March 2002, the same month that the previous bill (5613-D-00) expired. In March 2004, it expired before passage. <sup>3</sup>
Argentina	Legislative	Mandatory	June 2004	Failed	After Bill 904-D-02 expired in March, Bill 1280-D-04 was introduced in June 2004. It was the third attempt to pass the Bill of Free Software V5, but it also expired before passage <sup>4</sup>
Argentina	Legislative	Mandatory	2008	Proposed	A new bill would make the use of open source software throughout all government institutions and offices mandatory. Currently, it is provided only per the request of officials. <sup>5</sup>
Argentina	Ministry of Labor	R&D	Oct. 2008	Approved	Argentina’s Ministry of Labor approved EnterTECH, a public-private collaborative program that trains citizens in open technologies. <sup>6</sup>
Australia	Tax Office	Advisory	Feb. 2004	Approved	The Australian Tax Office will consider OSS alongside proprietary solutions. <sup>7</sup>
Australia	National Office for the Information Economy	Advisory	Aug. 2004	Proposed	The Government will continue to encourage the use of open source software solutions by developing a range of tools to help Government agencies make informed decisions to suit their IT needs. Open source software was identified in the Government's 2002 “Better services, Better Government” e-government strategy as providing opportunities for innovation, sharing of information technology, and potentially new market opportunities for small Australian businesses. <sup>8</sup>

Australia	Legislative	Preference	Sept. 2003	Proposed	Proposed amendment requiring Public Service Agencies prefer OSS “wherever practicable.” <sup>9</sup>
Australia	Information Management Office	R&D	Apr. 2005	Approved	A document outlines OSS options for government agencies. It does not promote OSS; procurement decisions should be made on the standard criteria of fitness for purpose and value for money. <sup>10</sup>
Austria	Ministry of Education	Advisory	Apr. 2003	Proposed	“The Austrian Ministry of Education recommended the adoption of two open source learning platforms and learning management systems in education.” <sup>11</sup>
Austria	Austrian Federal Ministry of Education, Arts and Culture (BMUKK)	Advisory	June 2009	Approved	“With support from the Austrian Federal Ministry of Education, Arts and Culture (BMUKK), the third edition of a special version of a GNU/Linux distribution for schools was published. The ministry recommends in a letter to all Austrian school headmasters that the aim “is to promote the installation of open source software onto Austria’s school computers as part of the EU Action Plan i2010.” <sup>12</sup>
Bahrain	Ministry of Social Development	Preferred	2006	Approved	Bahrain’s Ministry of Social Development (MOSD) is to become the first ministry in the Kingdom and in the Middle East to base its entire IT infrastructure on open source technology. Reasons for migration include lower cost, simplified IT management, the ability for modular scalability, and improved security and space efficiency. <sup>13</sup>
Belgium	Legislative	Mandatory	Apr. 2003	Failed	“The Assembly of the French-speaking Community of Brussels (COCOF) postponed a vote on an open source software decree approved by the budget committee of the COCOF.” <sup>14</sup>  The Supreme Administrative Court ruled that only the Belgian Federal Parliament, not COCOF, could propose such a law mandating the use of open source. <sup>15</sup>
Belgium	Council of Ministers	Preference	June 2004	Approved	Federally commissioned software must be delivered with the source code; federal authorities should try to avoid proprietary software, but should make final decisions based on total cost of ownership. <sup>16</sup>
Belgium	Parliamentary Committee	R&D	Mar. 2003	Approved	“A Parliamentary committee on the use of ICT in the Federal Parliament released a report highlighting the importance of the use of open standards.” <sup>17</sup>
Belgium	Legislative	Advisory	June 2004	Proposed	On June 10, 2004, the Belgian Government published a white paper on the use of open standards by federal public bodies. <sup>18</sup>
Belgium and Netherlands	NA	Preference	Apr. 2009	Approved	The Dutch Foreign Trade Minister, Frank Heemsherk said that “the Belgian and the Dutch administrations have agreed to coordinate their policies on open standards and open source...and “will promote open standards and open source internationally.” <sup>19</sup>
Benin	Government	Advisory	Aug. 2005	Approved	The Government of Benin has identified the development of FOSS as a strategy in its ICT plan and sees the promotion of FOSS as beneficial for software availability in the country. Civil society is encouraged to support the adoption process. The plan also calls for the use of open standards. A FOSS laboratory project called LABTIC is in process of being established, supported by the Agence de la Francophonie. <sup>20</sup>

Brazil	Executive / National Institute of IT	Advisory	Nov. 2003	Approved	The gov't initiative urges ministries and other agencies to use OSS, as well as evaluate how IT could benefit from open-software. <sup>21</sup>
Brazil	Executive	Mandatory	Jan. / June 2005	Proposed	The government of Brazil says it will switch 300,000 government computers from Microsoft's Windows operating system to open source software like Linux. <sup>22</sup> "President Luiz Inacio Lula da Silva is studying a draft decree which, if approved, would make [OSS] compulsory for federal departments." <sup>23</sup>
Brazil	Legislative	Mandatory	Oct. 2003	Proposed	The bill PL-2152/2003 mandates that all software used within the federal administration and public entities be OSS. The bill is to be reviewed with four other past proposals, three of which had been previously voided. <sup>24</sup>
Brazil	Executive	Preference	May 2005	Approved	Brazil launched PC Conectado, an attempt to sell 1 million low-cost computers. Proprietary software was excluded from the project; "We chose free software...because we believe it is a policy to spur national industry." <sup>25</sup>
Brazil	Ministries / Executive	Preference	Aug. 2004	Approved	Twenty percent of all computers used by the Brazilian ministries are running Linux and other open source software. In a few months this number should grow to 100 percent. Through its Digital Inclusion Program, Brazil wishes to democratize the use of computers. <sup>26</sup>
Brazil	Federal Gov't	R&D	Aug. 2004	Approved	The government signed a cooperative agreement with an OSS company to create a Technology and Knowledge Dissemination Center (CDTC) to promote open standards-based solutions through training and support. <sup>27</sup>
Brazil	Ministry of Science and Technology	R&D	Oct. 2003	Proposed	The Ministry has started the first Free Software Workshop, which recommends the use of OSS in the Federal Government. <sup>28</sup>
Brazil	Ministry of Culture	R&D	June 2006	Approved	Brazil's Ministry of Culture supports local cultural initiatives, called Culture Points, through funding of up to BRL 185,000 (USD 88,500). Some of these resources are used to train citizens in the production and exchange of digital multimedia using FOSS. As of June 2006, 485 Culture Points had been set up by the program, and another 80 were awaiting approval. <sup>29</sup>
Brazil and South Korea	Interagency	R&D	Nov. 2004	Approved	Brazil's National Institute of Technology of the Information (ITI) and the Korean IT Industry Promotion Agency (KIPA) signed an agreement to exchange OSS experiences. <sup>30</sup>
Bolivia	Legislative	Preference	Aug. 2007	Proposed	A bill entitled "Free Software and Open Standards" was proposed by the National Deputy Edgar Sanchez Aguirre to the federal legislature in August of 2007. Since September 2008, it has been taken up for evaluation by various committees of the House and other government entities. The bill is ambiguous in whether it is a mandate for migration to OSS or merely a preferential policy because of incongruent language in Articles 1 and 2. It cites security, transparency, advancing the local software industry, and promoting alternatives to transnational monopolies as the rationale behind the bill. <sup>31</sup>

Bulgaria	Legislative	Mandatory	Mar. 2003	Proposed	“A draft bill mandating the use of open source software, open standards, and open file formats by all state institutions and agencies, state-owned enterprises, higher schools, medical establishments, non-profit entities, state-funded entities, the Bulgarian consular, and diplomatic missions abroad. The bill allows for the use of non open source software solutions when existing OSS solutions do not meet the public administration's specific needs.” <sup>32</sup>
Bulgaria	UNDP	R&D	June 2004	Approved	The United Nations Development Programme (UNDP) and the Internet Society of Bulgaria (ISOC-Bulgaria) have launched a project to help municipal governments in Southeastern Europe with FOSS. <sup>33</sup>
Bulgaria	Executive	R&D	Mar. 2008	Approved	The Bulgarian State Administration is conducting a series of reviews to discuss the viability of open source software in Bulgarian governmental institutions after a pilot program was run in November 2007.
Cambodia	Executive	Preference	Feb. 2005	Approved	Cambodia has issued an Open Source Master Plan and it is expected to come out with an Open Source Action Plan very soon. The Open Source Master Plan lays out a four-year OSS adoption plan for government systems and for development and promotion of OSS and Khmer language functionality. <sup>34</sup>
Cambodia	National Information Communications Technology Development Authority – NiDA	Preference	2002	Approved	"Policy 3.15: Government will promote Open Source system(s) in ICT to cut costs in a long term but also to broaden the skills and capacities of ICT professionals." <sup>35</sup>
Cambodia	National Information Communications Technology Development Authority – NiDA	Preference	Sept. 2001	Approved	“All laws, regulations and policies in the IT sector will reflect the following guiding spirit and philosophy: to uphold the interests of the consumers and general public, to guarantee security of information, while facilitating the broadest possible access to public information to respect individual rights, and to avoid dependency on proprietary systems, instead promoting open systems and interoperability.” This is done to avoid dependency of proprietary systems, help reduce poverty, and efficiently develop human resources. <sup>36</sup>
Canada	CIO Branch	Advisory	Sept. 2003	Approved	Canada does not distinguish on the basis of software development models. <sup>37</sup>
Chile	Legislative	Mandatory	Jan. 2004	Proposed	Bill being prepared that would mandate the use of OSS in all branches and levels of government, as well as State majority-owned companies. Goal of submission is March 2004. <sup>38</sup>
Chile	Legislative	Advisory	June 2007	Approved	The Chamber of Deputies signed a resolution asking the President to implement FLOSS in federal government agencies. <sup>39</sup>
Chile	Legislative	Advisory	Aug. 2007	Approved	House of Representatives passed a legislative statement requesting that President Bachelet apply a policy to tech-neutrality to IT acquisitions by the state. <sup>40</sup>



China	Beijing Science and Technology Commission	Advisory	Aug. 2002	Approved	“Beijing Science and Technology Commission has endorsed Linux as China's most important chance to improve its software industry... the commission would urge Chinese government bodies to consider using Linux with new computer systems, and also encourage private and university software designers to develop Linux and other open source software programs.” <sup>41</sup>
China	Ministry of Information Industry	Advisory	Sept. 2002	Approved	“China's Ministry of Information Industry has established an Open Source Alliance to support Linux systems.” <sup>42</sup>
China	Ministry of Information Industry	Advisory	Mar. 2001	Proposed	“Ministry of Information Industry (MII) and the Chinese Academy of Sciences (CAS) would work together to encourage the development of the nation's software industry... According to Ministry officials, the government would fund further development of Red Flag Linux...” <sup>43</sup>
China	Ministry of Information Industry	R&D	Aug. 2004	Approved	MII established the Open Source Software Promotion Alliance to encourage the development of China's OSS industry. It is composed of enterprises, non-profit organizations, representatives from NGOs, and individuals under the guidance of the Chinese government. <sup>44</sup>
China, Hong Kong, India, Indonesia, Japan, Macau, Malaysia, Philippines, Singapore, and Thailand	Turn to endnote to see list of government agencies and ministries, <sup>1</sup>	R&D	June 2009	Approved	China, Hong Kong, India, Indonesia, Japan, Macau, Malaysia, Philippines, Singapore, and Thailand formed the Asian Open Source Software (AOSSC) to advance the adoption and development of open source software among Asian countries. <sup>45</sup>
Colombia	Legislative	Advisory	Dec. 2007	Proposed	Proposed Bill 021 specifically states a policy of technological neutrality in software procurement by government entities. The bill encourages exploration into <i>all</i> types of software and technology; however, certain language which calls for the promotion of national tech and software industries and mandates for universities to educate students in different types of software may suggest a proclivity for OSS. <sup>46</sup>
Costa Rica	Executive	Preference	Feb. 2002	Approved	An executive order stating that public institutions can use OSS when it is possible and useful. <sup>47</sup>
Costa Rica	Legislative	Preference	Sept. 2003	Proposed	Member of political party (PLN) introduced a law on OSS emphasizing its technological independence, local development, costs of ownership but overall, security - one of governments' main concerns. <sup>48</sup>

<sup>1</sup> India's Centre for Development of Advanced Computing under the Ministry of Information and Communication Technology, the Philippines' Commission on Information and Communications Technology, various Chinese provincial ministries, Hong Kong's Open Source Software Centre managed by the Hong Kong Productivity Council, Macau's Productivity and Technology Transfer Centre established by the Macau Government, Vietnam's Ministry of Information and Communications, Thailand's National Science and Technology Development Agency under the Ministry of Science and Technology, Japan's Open Source Software Center of Information under the Technology Promotion Agency, and Pakistan's Open Source Resource Center under the Ministry of Information Technology. Singapore's The SIM University\*, Malaysia's Asia e University\*, and Indonesia's School of Electrical Engineering & Informatics\*.

\* signifies non-governmental participants

Costa Rica	Legislative	Preference	Nov. 2006	Failed	“In November 2006, the Permanent Committee on Government and Administration (“PCGA”) of the Legislative Assembly of Costa Rica voted down an OSS preference bill that would have obligated all government institutions to use OSS in their information and data management systems.” <sup>49</sup>
Croatia	Central State Administrative Office	Preference	July 2006	Approved	The Croatian government adopted an open source software policy and issued the following guidelines for developing and using open source software in the government institutions: <ul style="list-style-type: none"> <li>• Government institutions will choose and/or develop open source solutions as much as possible, instead of using closed source alternatives.</li> <li>• The government will support development of closed source solutions that use open standards for protocols and file formats, and which are developed in Croatia.</li> <li>• The government will support the use of open source programs and open standards outside of its institutions.</li> <li>• The government will support the use of open source solutions in educational institutions; both closed and open source solutions will be equally presented to students.<sup>50</sup></li> </ul>
Cuba	Executive	Preference	Feb. 2007	Approved	The Cuban government is migrating thousands of its computers to Linux to counter Microsoft and the U.S. <sup>51</sup>
Cuba and Russia	NA	R&D	Aug. 2007	Approved	Russia and Cuba have agreed to cooperate in information technology. They will collaborate in the development FOSS to decrease dependence on proprietary software. <sup>52</sup>
Czech Republic	Ministry of Informatics	Advisory	Nov. 2005	Approved	Ministry is supporting the Czech Open Source Software Alliance to provide consultation on OSS projects and assist with representation in the EU’s IDABC with regard to OSS. <sup>53</sup>
Denmark	Executive	Advisory	June 2003	Approved	The government adopted a “Software Strategy” emphasizing value for money, competition, freedom of choice, and interoperability. The policy expresses no preference for open source, but several open source projects have been initiated under the policy. <sup>54</sup>
Denmark	Ministry of Science and Technology, and Innovation	Advisory	Oct. 2002	Approved	Analysis and recommendations drawn up by a working group under the Danish Board of Technology recommended that OSS compete on same level as proprietary software, and for OSS pilot projects. <sup>55</sup>
Denmark	Legislative	Advisory	Nov. 2002	Failed	“Socialist members of the Danish Parliament introduced a motion for a resolution calling for an offensive competitive strategy utilizing open source software and open standards. The motion did not gain the necessary support within Parliament and reportedly will not be re-introduced for a second hearing.” <sup>56</sup>
Denmark	Board of Technology	R&D	Oct. 2002	Approved	“The Danish Board of Technology released a report stating that the public administration would save 500 million Euros over four years by using open source software. The report also concluded that... open source solutions cannot be dictated as a general principle.” <sup>57</sup>
Denmark	Legislative	Mandatory	July 2007	Approved	During a one-year pilot program, government agencies are required to carry Open Document Format (ODF) and Microsoft’s Open XML format on all computers. The Danish Parliament and a third party will evaluate the test program in 2009. <sup>58</sup>

Djibouti	Government	R&D	2003	Approved	The National Information and Telecommunications Plan of Djibouti was approved in 2003. One of the identified strategies was to do research on and test FOSS, in particular Linux, through a new FOSS laboratory. A "Linux team" was suggested to help install Linux and Linux networks in schools in Djibouti. <sup>59</sup>
Ecuador	Legislative	Mandatory	May 2008	Approved	Executive Decree 1014 made FLOSS mandatory for public administration. <sup>60</sup>
EU	DG XIII, Info Society	Advisory	2003-2004	Approved	2003-2004 Workplan encourages the use of OS where appropriate for the specific program of "Integrating and strengthening the European Research Area." <sup>61</sup>
EU	Directorate Info Society	Advisory	June 2002	Approved	eEurope 2005 Action Plan recommends open source for a EU "interoperability framework." <sup>62</sup>
EU	EU Commission	Advisory	Sept. 2003	Approved	A Communication from the Commission on the role of eGovernment states that the "exchange of experience in the use of open standards and open source amongst public administrations should be promoted in terms of efficiency, productivity, and quality of their services." <sup>63</sup>
EU	EU Telecomm Ministry	Advisory	Dec. 2001	Approved	"A resolution on network and information security approved by the Council of EU Telecommunications Ministers encouraged the EU Member States to initiate effective and interoperable security solutions based on recognised standards including open source software in their e-government and e-procurement activities." <sup>64</sup>
EU	Ministerial Resolution on E-Government	Advisory	Nov. 2001	Approved	"The Ministers of Public Service and Administration of the EU Member States, the EFTA Member States, and the accession countries included open source language in a declaration underlining the importance of e-government to the development of Europe's Information Society." <sup>65</sup>
EU	Information Society Technologies Advisory Group	Advisory	Sept. 2002	Approved	"ISTAG published a report on 'Software Technologies, Embedded Systems, and Distributed Systems' calling for the use of open source licensing for software generated in the Information Society Technologies (IST) program. Under the IST program, the EU Commission launched the 'Three Roses Initiative' to provide funding for the use of open source software in e-government services and e-business solutions in EU Member States." <sup>66</sup>
EU	Information Society Technologies Advisory Group	Advisory	2004	Approved	"Open, secure, interoperable Egovernment platforms, applications and multi-modal services... should...deploy as much as possible open source software solutions for all aspects of inter- and intragovernment operations including electronic democracy systems, interaction with citizens and businesses, governmental process re-engineering and knowledge management." <sup>67</sup>
EU	EU Parliament	Advisory	Sept. 2001	Approved	"Adopted a resolution proposed by the committee on the Echelon Interception System. The resolution urged the Commission and Member States to promote European encryption software and support projects aimed at developing open source encryption software." <sup>68</sup>
EU	Interoperable Delivery of European eGovernment Services Programme	Advisory	Jan. 2004	Approved	The Open Source Observatory aims to provide "support for initiatives that encourage uptake of OSS and spread good practice in its use." <sup>69</sup>

EU	Green Party	Preference	Jan. 2004	Proposed	Formulated a Draft Normal Resolution for governments to “promote the introduction and use of free and open source software within their governmental bodies and public administrations” and will submit a proposal for a European Directive on Open standards and Interoperability. <sup>70</sup>
EU	Enterprise D-G Directorate	R&D	Aug. 2003	Approved	Call for Tender “to establish a service in support of public administrations using open source software with the intention of encouraging the spread of good practice.” <sup>71</sup>
EU	Research Institutions	R&D	Dec. 2004 / May 2005	Approved	EU provided 2.2 million euros to study OSS in December 2004 <sup>72</sup> and an additional 660,000 euros in May 2005. <sup>73</sup>
EU	EU Commission	R&D	Sept. 2002	Approved	Under the Information Society Technologies program, the EU Commission launched the “Three Roses Initiative” to provide funding for the use of open source software in e-government services and e-business solutions in EU Member States. <sup>74</sup>
EU	EU Commission IDA	R&D	Nov. 2003	Approved	The IDA Open Source Migration Guidelines – “provide practical and detailed recommendations on how to migrate to Open Source Software (OSS)-based office applications, calendaring, e-mail and other standard applications.” <sup>75</sup>
EU	Information Society DG	R&D	May 2003	Approved	There are roughly 20 projects supporting and developing OSS. They contribute to the development of essential components of a free software infrastructure, and associated development tools or applications. See source for a list of projects from the 5 <sup>th</sup> Framework Programme. <sup>76</sup>
Finland	Ministry of Finance	Advisory	Oct. 2003	Approved	A ministry working paper calls for government agencies to consider OSS alternatives. <sup>77</sup>
Finland	Legislative	Advisory	June 2002	Failed	A group of Finnish MPs signed a non-binding Bill “requiring national and local agencies to migrate their IT systems to the Linux operating system.” The bill has expired and was not renewed in 2003. <sup>78</sup>
Finland	Joint Venture	R&D	Sept. 2003	Approved	The Applied Linux Institute run by the Dept. of Communications and the Institution of Adult Education of Vantaa at the University of Helsinki, and the Dept. of Schooling and Education of the City of Vantaa, (all public institutions), is conducting research and development on OS applications. <sup>79</sup>
Finland	JUHTA (Advisory Committee on Information Management in Public Admin. – part of the Ministry of the Interior)	Preference	Feb. 2009	Approved	JUHTA, a committee in the Ministry of the Interior in charge of cooperation in information management between the State and municipalities, wants the country's public administrations to increase their use of open source and open standards and has published a policy document to help public bodies with procurement and deployment. <sup>80</sup>
France	Ministerial	Preference	2003	Approved	Ministries of Defense, Culture, and Economy use FOSS operating systems. <sup>81</sup>

France	Ministry of Culture and Communication	Preference	2003	Proposed	Ministry called for full migration to FOSS by 2005. Also two parliamentary bills submitted (1999 and 2000) supporting FOSS, died. <sup>82</sup>
France	Ministry of Defense	R&D	Sept. 2004	Approved	Ministry has formed a consortium to develop a highly secure Linux-based operating system. <sup>83</sup>
France	Executive	R&D	Aug. 2003	Approved	The government has launched an open-source content management system to standardize government websites. <sup>84</sup>
France	Commissariat General du Plan	R&D	Oct. 2002	Approved	“A working group composed of experts from companies and administrative agencies issued a report analyzing the French software industry and examining how the government can best support the industry. The report recommended that public agencies promote the development of free software platforms and open standards.” <sup>85</sup>
France	Ministerial	R&D	Nov. 2001	Approved	Agency for the Development of the Electronic Administration (ADEA), formerly the Agency for Technologies of Information and Communication in Administration (ATICA), is “in charge of selecting open standards to be enforced all over public administrations in order to guarantee full interoperability.” <sup>86</sup>
France	Agency for the Development of the Electronic Administration	R&D	Feb. 2004	Approved	Agency for the Development of the Electronic Administration (ADEA) announced plans to migrate 5-15% of its desktop software to OSS by 2007 as part of Project ADELE, a plan to computerize much of the country's administration by 2007. <sup>87</sup>  A 2005 update on the implementation of the ADELE e-government programme noted that it was ahead of schedule, and the latest official user survey shows that use of – and satisfaction with – online public services is increasing. <sup>88</sup>
France	Minister of the Economy, Finance and Industry	R&D	Dec. 2006	Approved	The French Ministry of the Economy, Finance and Industry's center of excellence mission will federate research in OSS and facilitate access to financing. <sup>89</sup>
France	Economic Commission	Advisory	Jan. 2008	Proposed	“An economic commission set up by President Sarkozy, recommended that France should increase its use of open source software and consider tax benefits to stimulate open source development.” <sup>90</sup>
France	Ministry of Defense	Preference	Apr. 2007	Approved	“The French ministry of Defense will give preference to Open Source software and open standards for its IT projects.” <sup>91</sup>
France	Ministry of Education	Advisory	Apr. 2008	Approved	The French Ministry of Education is increasing the number of open source software licenses to France's educational institutions to offer more choices and make users less dependent on software vendors.” <sup>92</sup>
France, Gendarmerie	Deputy director of the Gendarmerie's IT Department	Mandatory	Jan. 2008	Approved	The Gendarmerie, part of French police force, will migrate all of its 70,000 desktops from proprietary software to Open Source. <sup>93</sup>

Germany	Bundestag	Advisory	June 2002	Approved	<p>“Adopted a resolution on ‘Creating an Information Society for All.’ The resolution called for the increased use of open source software in the federal administration and stated that ‘open source is an important instrument that can provide for secure and stable IT solutions.’ The resolution was proposed by the Social Democratic Party, the main party in the governing coalition.”<sup>94</sup></p>
Germany	The Ministry of Economy	Advisory	May 2003	Approved	<p>“The Ministry of Economy (Federal) announced a decision to stop the systematic promotion of open source software projects. The Ministry adopted a policy to strengthen the competition between free and proprietary software in general. The Ministry will support the new policy objective through neutral public procurement tenders. The Ministry announced that an independent, non-governmental body of experts will formulate the criteria for public procurement tenders.”<sup>95</sup></p>
Germany	Social Democrats / Green Party Coalition	Advisory	Sept. 2002	Proposed	<p>“After the September elections, the Social Democrats and the Green Party formed a new federal coalition government and agreed on a work program. The new program stated that ‘the law must protect the position of small companies in the software field’ and that ‘open source products shall not be discriminated’.”<sup>96</sup></p>
Germany	Ministry of the Interior	Preference	June 2002	Approved	<p>Government contracts with Open Source providers for government agencies wishing to make OSS procurements.<sup>97</sup></p>
Germany	Ministry of the Interior - KBSSt	Preference	July 2003	Approved	<p>Published a software Migration Guide which included replacement/migration/integration guidelines for Open Source Software.<sup>98</sup></p>
Germany	Ministerial	R&D	July 2003	Proposed	<p>Federal Ministry of the Interior published migration to OSS manual.<sup>99</sup></p>
Germany	Federal Agency for Information Technology (BIT)	Preference	June 2009	Approved	<p>Germany's federal Agency for Information Technology (BIT) now “officially recommends” open source collaboration suite Kolab, to all public administrations.<sup>100</sup></p>
Ghana	Legislative	Advisory	Apr. 2007	Proposed	<p>“The government of Ghana is serious about free and open source software. Ghanaian communications minister Mike Oquaye said that the government had already ‘tasked the Ghana-India Kofi Annan Centre of Excellence in ICT to spearhead the national consultation process on open source policy and to provide an initial draft document for our consideration’.”<sup>101</sup></p>
Hong Kong	Commerce, Industry, and Technology Bureau	Advisory	Mar. 2003	Approved	<p>The Commerce, Industry, and Technology Bureau published a paper entitled “2004 Digital 21 Strategy,” which stated the government will promote OSS within the government when viable, and will encourage its use in the private sector with funding.<sup>102</sup></p>
Hong Kong	Secretary for Commerce, Industry, and Technology	Advisory	Nov. 2002	Approved	<p>The Information Technology Services Department (ITSD) issued a circular to all departments, “urging them to consider different types of software including open source in procurement and, based on the principle of cost effectiveness, select among the products which meet the basic functional requirements and offer the best value for money.”<sup>103</sup></p>
Iceland	Ministry of Justice	Preference	2003	Approved	<p>Open source office suite used in all police stations (700 PCs).<sup>104</sup></p>

India	N/A	Advisory	May 2005	Approved	Gov't is distributing millions of free CDs with Tamil and Hindi language OSS. <sup>105</sup>
India	Executive	Advisory	May 2003 / July 2004	Proposed	President has made public comments supporting OSS. <sup>106</sup>
India	Department of Information Technology	Preference	2003	Proposed	The Department is supporting the development of a Hindi Linux distribution, Indix. <sup>107</sup>
India	Department of Information Technology	R&D	Sept. 2004	Approved	The National Informatics Center has created a web site to share the government's experience in using OSS. <sup>108</sup>
India	Ministry of Communications & Information	Preference	June 2008	Proposed	"Open source software is preferable when deciding between two standards" <sup>109</sup>
Indonesia	Education Ministry	Preference	Mar. 2003	Approved	U.S. company donated \$57 million worth of its open source office suite to the Education Ministry. <sup>110</sup>
Indonesia	Ministry of Research and Technology	Preference	Oct. 2006	Proposed	The Indonesian Government's mission of going open source is nearly accomplished. The Government has already launched IGOS Nusantara 2006 Release 3 for the country's users. IGOS (Indonesia, go open source!) is a national effort to strengthen the national information technology system as well as to exploit the global information technology development through utilization and exploitation of Open Source Software (OSS). <sup>111</sup>
Indonesia	Ministry of Research and Technology	R&D	Nov. 2008	Approved	Indonesia's State-Ministry of Research and Technology founded the Center for Open Source Technology Awakening (COSTA) to foster open source development in Indonesia. The Indonesian government supports open source as a means to break the cycle of following "big, rich nations in technology usage." <sup>112</sup>
Ireland	N/A	R&D	Dec. 2003	Approved	Funded development of a "Knowledge Asset Development System" for Ireland, Europe, and the Middle East. <sup>113</sup>
Israel	Ministry of Finance	Advisory	Jan. 2004	Proposed	"The ministry plans to distribute thousands of Open Office programs on CD-ROM at public computer centers and eventually community centers across the country," and is "about to propose that government ministries use the free Linux open operating system as well." <sup>114</sup> "Government agencies will continue to use proprietary products they already have but won't upgrade them, and the government is promoting the development and use of open-source alternatives." <sup>115</sup>
Israel	Department of Commerce	Preference	Dec. 2003	Approved	With its Microsoft contract running out, the Department announced plans to switch most desktops to Open Source Software. Other agencies are showing an interest as well. <sup>116</sup>
Israel	Ministry of Industry, Trade and Labor	R&D	Apr. 2005	Approved	The Ministry has paired with IBM to encourage the use and development of OSS. As part of the plan, the Ministry offers grants of up to \$100,000 for Israeli start-ups. <sup>117</sup>



Israel	Legislative	Mandatory	2003	Proposed	The proposal--actually an amendment to the Mandatory Tenders Law--would require government agencies and institutions to only purchase software based on open-source code. <sup>118</sup>
Italy	National Agency for ICT in Public Administration	Advisory	Oct. 2004	Approved	The Plan for Information Society for 2005-2007 calls for extensive use of open source applications where possible. <sup>119</sup>
Italy	Ministry for Innovation	Advisory	June 2002	Approved	“The Minister for Innovation presented a set of Government Guidelines for 2002-2005 to promote technological development. The document called for the adoption of open source software by public administrations... The guidelines also recommended that the government launch a national research program on open source...” <sup>120</sup>
Italy	Council of Ministers	Advisory	2001	Approved	“The Council of Ministers endorsed a recommendation by the Senate that urged the administration ‘to draft regulations for the examination of open source projects and for the progressive adoption of non-proprietary operating systems and applications by public administrations. Neither the recommendation nor the endorsement was binding on the Berlusconi government that came to power in June 2001.’” <sup>121</sup>
Italy	Legislative	Mandatory	2003	Proposed	Bill mandates preference for FOSS in government agencies. Other bills to encourage OSS are pending as well. <sup>122</sup>
Italy	Ministry for Innovation	Preference	Feb. 2004	Approved	A directive from the ministry stating that in the acquisition of software, the Public Administration must consider OSS and judge software according to transferability, interoperability, dependency on supplier, and the availability of the source code for inspection. <sup>123</sup>
Italy	Senate	Preference	July 2002	Proposed	A Senate Committee for Education and Culture held hearings about an OSS amendment to reform the national education system to increase the use of OSS. <sup>124</sup>
Italy	N/A	R&D	Jan. 2006	Approved	“The Italian Code of Digital Administration, which became effective on January 1, 2006, requires that any software developed by one PA must be made available at no cost, with complete source code and documentation, to any other PA that can adapt it to its own needs.” <sup>125</sup>
Italy	Legislative	Preference	Jan. 2007	Approved	“The Italian budget law encourages public administrations to use Open source software. The government in December introduced a provision (art.1, c. 897) that will favor projects using this type of software. During the coming three years, a total of 30 million euro is available for projects that stimulate the information society. Those using or developing free software will be given priority.” <sup>126</sup>
Italy	Ministry of Public Administration and Innovation	R&D	June 2009	Approved	“The Italian government wants to increase the use of open source in schools. The Italian Ministry of Public Administration and Innovation, Renato Brunetta earlier this week announced two pilot projects in school in Rome.” <sup>127</sup>



Japan	Information Technology Promotion Agency	R&D	April 2008	Approved	“The Information Technology Promotion Agency, a Japanese government research institute, is working with the Linux Foundation to accelerate Japan's adoption of GNU/Linux and other Open Source applications. Japan expects increased awareness on Open Source's legal usefulness, and want to strengthen its position in the area of standardisation.” <sup>128</sup>
Japan	Central Government	R&D	May 2007	Approved	“The central government of Japan says to make Linux and open source a priority for all IT procurements, starting this July. The central government of Japan says it plans to spend around \$1.25 trillion yen, or \$10.4 billion, on IT over the next year. The government has said explicitly it wants to decrease its reliance on Microsoft as a server operating system platform.” <sup>129</sup>
Jordan	Ministry of Information and Communications Technology	Advisory	2008	Approved	Jordan's <u>Ministry of Information and Communications Technology</u> is officially neutral toward Open Source. <sup>130</sup>
Laos	STEA	Advisory	2007	Approved	Lao's national ICT policy states that the government will promote the integration and teaching of free and open source software in its computer science/engineering curricula. <sup>131</sup>
Macedonia	Ministry of Education	Mandatory	Aug. 2007	Approved	The Macedonian government will install the open source Ubuntu distribution of GNU/Linux on all 180,000 of its school computer workstations.
Malaysia	Ministerial	Preference	Aug. 2004	Approved	All Government procurements now have a strong preference for OSS under the Malaysian Public Sector Open Source Software Masterplan. <sup>132</sup>
Malaysia	Executive/ Ministerial	Preference	Oct. 2003	Proposed	Government created a \$36 million fund for start-ups developing OSS. Also, government reportedly developing a national OS based on Linux. <sup>133</sup>
Malaysia	Executive/ Ministerial	Preference	Aug. 2002 / Aug. 2003	Failed	Originally, the Malay government “decided to begin OSS implementation in agencies like the Treasury, while other ministries have begun implementing OSS on their servers.” The government is also conducted some pilot studies on how to switch over to OSS. <sup>134</sup> However, in 2006, the Ministry of Science, Technology, and Innovation reversed this position, announcing an official policy of tech-neutrality.
Malaysia	Ministerial	R&D	Sept. 2003	Approved	The government set up an OSS Competency Center. <sup>135</sup>
Malaysia	Legislative	Advisory	July 2007	Approved	The Government of Malaysia has decided to encourage the use of Open Source Software (OSS) in the Malaysian Public Sector. The Malaysian Administration Modernisation and Management Planning Unit (MAMPU) of the Prime Minister Department is given the responsibility to implement this OSS Initiative. <sup>136</sup>

Malaysia	Ministry of Science, Technology and Innovation	Advisory	Nov. 21 2006	Approved	The Minister of Science, Technology and Innovation announced that the Malaysian Government is adopting a neutral technology platform policy that does not favor either open source software (OSS) or proprietary software, and that government procurement policies will now be based on merit and not on platform choice. This represents a reversal of the “Malaysian Open Source Software Master Plan,” which established a preference for OSS and sought to expand its use in the public sectors. <sup>137</sup>
Mexico	Legislative	Mandatory	2001	Failed	Legislation would have mandated the use of OSS on federal government computers. <sup>138</sup>
Mexico	Legislative	Advisory	June 2009	Proposed	Legislation proposed in June urges the President “to consider, where deemed feasible, the preferential use of free software licenses in all branches of the Federal Executive bodies” and para-state organizations. <sup>139</sup>
Mexico	Legislative	R&D	July 2009	Proposed	An amendment added in July to the above legislation calls on the President begin studies in all federal agencies to assess the feasibility of implementing a preferential policy for OSS. <sup>140</sup>
Netherlands	Legislative	Preference	Feb. 2003	Approved	“In 2003 the Dutch parliament adopted a plan that would see open standards used exclusively from 2006 and called for the government to promote open source software in the public sector. Adoption of open standards was not approved until 2007.” <sup>141</sup>
Netherlands	Ministers of the Interior and of Economy	Preference	Feb. 2003	Approved	Established an action plan for the promotion of Open Standards and OSS in the public administration (the plan looks to have come out of the Program mentioned above). <sup>142</sup> “The OSOSS (open source as a part of the software strategy) program was created to help stimulate the use of open standards and provide information on open source software” <sup>143</sup>
Netherlands	Ministries of Interior and Economic Affairs	R&D	Jan. 2007	Approved	In the beginning of 2003, the Dutch government started a program called Open Standards and Open Source Software (OSSOS) to stimulate Dutch government agencies to use open standards in their software and to inform them about open source software. “Last month, 10 major Dutch cities signed a Manifesto of the Open Cities, signaling that the OSOSS program is working.” <sup>144</sup>
Netherlands	Legislature	Mandatory	Dec. 2007	Approved	Bill calls for the use of open source software in all governmental ministries by 2009. All institutions that still insist on the use of proprietary software must provide reasons for maintaining it until a later date.
Netherlands	Ministry of Interior	R&D	July 2009	Approved	“The Dutch police will start investigating how to increase its use of open standards and open source software.” The study was initiated to follow the cabinet's policy on open standards and prevent discrimination against certain operating systems. <sup>145</sup>
Norway	Norwegian Board of Technology	Advisory	Dec. 2004	Approved	An independent government advisory board recommended the public stimulation of OSS development through pilot programs. <sup>146</sup>
Norway	Ministry of Modernization	Mandatory	May 2007	Proposed	Norway is the latest European country to move closer to mandatory government use of ODF (and PDF). Norway now joins Belgium, Finland, and France (among other nations) in moving toward a final decision to require such use. <sup>147</sup>

Norway	Ministry of Labor and Gov't Admin	Preference	July 2002	Approved	Norway cancelled a contract with proprietary vendor to allow for more competition from Open Source and other software. <sup>148</sup>
Norway	Directorate on Public Management	R&D	Aug. 2001	Approved	Statskonsult, a state-owned company, carried out a report recommending OSS in the public sector and in education. <sup>149</sup>
Norway	Ministry of Government Administration and Reform	Preference	Nov. 2008	Approved	The Ministry of Government Administration and Reform wants the country's public administrations to make more use of open source applications in order to reduce the dependency on proprietary software. <sup>150</sup>
OECD	WPISP	Advisory	Oct. 2002	Approved	“The OECD Working Party on Information Society and Privacy (WPISP) prepared a draft implementation plan of the guidelines for the security of information systems and networks. The draft recommends the utilization of open source technology.” <sup>151</sup>
Pakistan	IT Ministry	R&D	Apr. 2004	Approved	The Ministry has “decided to launch an Rs37 million project to train 4,000 government officials from different ministries and departments” on the use of open source. <sup>152</sup>
Pakistan	Ministry of Science & Technology	R&D	2003	Approved	The government established a Task Force for Linux to set up “future directions” for Pakistani IT. <sup>153</sup>
Pakistan	Ministry of Science and Technology	Preference	2000	Approved	Pakistan’s national IT policy states that “The government will encourage the use of open source operating systems.” <sup>154</sup>
Pakistan	Ministry of Information Technology	R&D	2003	Approved	In 2003 the Pakistan Software Export Board under the Ministry of Technology created the Open Source Resource Center (OSRC) to raise public awareness about open source solutions, decrease dependency on proprietary software, address issues regarding Intellectual Property Rights, and decrease software costs.
Paraguay	National Science and Technology Council	R&D	May 2005	Approved	Paraguay’s government is studying whether to implement open source in all its entities. <sup>155</sup>
Peru	Legislative	Mandatory	2002	Failed	Four similar bills mandating use of OSS in all “government agencies and state-majority-owned companies;” proposed in December 2001, March 2002, April 2002, and May 2002 respectively. Bills heard by committee, which removed all four bills from consideration. <sup>156</sup>
Peru	Legislative	Mandatory	2003	Failed	Bill requiring all “Executive, Legislative, and Judicial branches of government, regional and local state entities, and national educational centres” to use OSS. A similar bill was introduced in September 2003 by a Vice-President of the Congress. Soft preference bill introduced in June 2003. <sup>157</sup>
Peru	Legislative	Advisory	Oct. 2005	Approved	Law 28615 which mandated a neutral technology procurement policy in the central government represented a dramatic policy reversal by Peru, rejecting its prior legislative attempts to establish an explicit preference for FLOSS. <sup>158</sup>

Philippines	Department of Science and Technology	Preference	2001	Approved	The Department's Advanced Science and Technology Institute is promoting and providing OSS (Bayanihan Linux) in government and schools. <sup>159</sup>
Philippines	National Computer Centre	R&D	Feb. 2003	Proposed	"The Director-General of NCC temporarily placed on hold a plan to promote open source software use and commissioned the NCC's Standards Division to produce a white paper on open source software. The Director-General reportedly plans to use the white paper to draft an official policy on open source software and Linux." <sup>160</sup>
Philippines	Legislative	Mandatory	Feb. 2008	Proposed	"In Phillipines House Bill #1716, the Representative Teodoro Casiño proposed a mandatory adoption of Free Open Source Software (FOSS), open standards, and open formats in all government agencies. If that bill is passed, the Republic of Philippines will be the second country in the world with this form of legislation." <sup>161</sup>
Philippines	Commission on Information and Communications Technology	Advisory	Feb. 2009	Approved	"The Commission on Information and Communications Technology (CICT), the government's ICT policy-making body, has decided to keep an "open choice" strategy, letting government agencies have the final say on which technology they want to use." <sup>162</sup>
Poland	Multiple Agencies	Advisory	July 2005	Proposed	In 2003, Government established advisory body comprised of six software experts that intends to promote the use of OSS in education and in public administration. In 2004, the Ministry of Science and Information Society Technologies drafted the "National Open Source Development Strategy." <sup>163</sup>
Poland	Polish Ministry of National Education	Advisory	Aug. 2008	Approved	The Polish Ministry of National Education is advising schools and universities to use Open Source software. The recommendation comes at the end of a volunteer campaign to help schools switch to Open Source. <sup>164</sup>
Poland	Ministry of Interior and Administration	Advisory	Feb. 2009	Proposed	The latest version of the Information Technology Development Act (ITDA) replaced language guaranteeing the "full openness of standards" with a provision declaring a policy of "technological neutrality." <sup>165</sup>
Portugal	Council of Ministers	Advisory	Jan. 2002	Approved	"The Council of Ministers adopted a non-binding resolution promoting use of open source software in the public administration..." <sup>166</sup>
Portugal	Parliament	Mandatory	Oct. 2003	Failed	Bill would have mandated OSS in public administrations. It was rejected on October 10, 2003. <sup>167</sup>
Portugal	Ministry of Education	Preference	Mar. 2004	Approved	Ministry entered into a 5-year deal with OSS company for secondary schools. <sup>168</sup>
Portugal	Legislative	Mandatory	Oct. 2007	Failed	A bill proposing that the Portuguese government move to an open-source infrastructure was amended to simply give government officials access to open source software. Any further governmental migration towards an open source will be reconsidered in 2008.
Portugal	Education Ministry	R&D	Feb. 2008	Approved	The Portuguese Education Ministry launched a new website designed to promote open source usage: "Our policy of full disclosure of software gives priority to open access to software source code / "open source", but also includes software for free distribution of educational interest to maximize the use of computers in the school environment." <sup>169</sup>

Russia	Ministry of Communications	Mandatory	Aug. 2007	Approved	The Russian government plans to reduce its dependence on foreign commercial software by installing domestically-developed GNU/Linux open source software on all of its schools' computers by the end of 2009.
Russia	Ministry on Information Technology and Communications	Advisory	Apr. 2008	Approved	The Russian Ministry on Information Technology and Communications recently published a roadmap for the government adoption of free software. Although not binding, it aims “to strengthen the local software development industry and increase involvement of Russian programmers in the development of software for government and municipal needs.” Since April 2008, the government has held meetings with local and multinational open source companies and plans to open “competence centers,” whose focus will be to transfer the best practices from other countries in the implementation of open source on the government level. <sup>170 171</sup>
S. Korea	IT Industry Promotion Agency	Preference	Feb. 2004	Approved	About 1,000 information systems development projects for local autonomous governments would switch to OSS as part of a larger plan to move more systems to OSS. <sup>172</sup>
S. Korea	Ministry of Information and Communication	Preference	Mar. 2005	Approved	The Ministry will promote OSS use in government by offering a total of 3 billion Won to agencies switching from proprietary software. <sup>173</sup>
S. Korea	Korean Government	Preference	Dec. 2002	Proposed	“The Korean Government has actively supported the development and proliferation of Linux through the Electronics and Telecommunications Research Institute (ETRI) and the Korean IT Industry Promotion Agency (KIPA). The KIPA Working Group for the Promotion of Open Source Software published a ‘Research Paper on Open Source Software - Focusing on Legal Problems and Foreign Policies’.” <sup>174</sup>
S. Korea	Ministry of Information and Communication	Preference	2003	Proposed	The Ministry of Information and Communication announced a plan to foster the nation's OSS industry throughout 2003. <sup>175</sup>
S. Korea	Ministry of Information and Communication	Preference	July 2006	Proposed	The Ministry has announced its plan to replace proprietary software with OSS to promote competition. <sup>176</sup>
S. Korea	Ministry of Education	Preference	Oct. 2006	Approved	The government launched the National Education Information System (NEIS), built “almost entirely on an open source model” that uses Linux and Sun Microsystems’ Solaris. <sup>177</sup>
Singapore	Economic Development Board	Preference	2003	Approved	Offers tax breaks to companies that use GNU/Linux operating systems instead of proprietary ones to encourage development of the local software sector. <sup>178</sup>
Slovakia	N/A	Advisory	Aug. 2006	Approved	The Slovak OpenSource Initiative (SKOSI) was founded to create and support free and open source software (FOSS) and free multi-platform infrastructure solutions in the Slovak Republic, as well as to support FOSS integration into education and the government sectors. <sup>179</sup>
Slovenia	Ministry of Information Society	Advisory	Oct. 2003	Approved	OSS and proprietary options are given equal consideration in procurements, though the government plans to “contribute to propagating information and knowledge...of the use of software and solutions based on open source.” <sup>180</sup>

South Africa	Government Information Officers' Council	Preference	June 2003	Approved	The Government Information Officers' Council (GITOC) has concluded that: "As OSS offers significant indirect advantages, opting for OSS will be preferable where the direct advantages and disadvantages of OSS and PS are equally strong...open standards will be a prerequisite for all software development, thus contributing to the ease with which OSS can be implemented and adapted; Government will encourage partnerships ... to foster the utilisation of OSS." Approved by Cabinet in June 2003. <sup>181</sup>
South Africa	Department of Science and Technology	R&D	Dec. 2003	Approved	Department of Science and Technology is funding the Open Source Center to promote government and educational uses of OSS. <sup>182</sup>
South Africa	Government IT Officer's Council	R&D	Aug. 2006	Approved	Council investigating use of FOSS in 2003 made recommendations promoting FOSS applications when proprietary ones offered no advantage. In 2005, the revised policy stated that the "South African Government will implement FOSS unless proprietary software is demonstrated to be significantly superior... Whenever FOSS is not implemented, then reasons must be provided in order to justify the implementation of proprietary software." <sup>183</sup>
South Africa	Executive	Preference	Feb.2007	Approved	The South African Cabinet today announced that it had approved a free and open source strategy and that government would migrate its current software to free and open source software... This strategy will, among other things, lower administration costs and enhance local IT skills. <sup>184</sup>
Spain	Administración General del Estado	Advisory	June 2003	Approved	The Superior Information Council, which is tasked by Spain's General Administration for the approval and diffusion of IT criteria and normalization, recommends adopting OSS when available and when it is satisfactory for the task. <sup>185</sup>
Spain	Ministry of Public Administrations	Mandatory	May 2005	Failed	Full migration to OSS in 1999 for the Ministry of Public Administrations. The migration seems to have been abandoned. <sup>186</sup>
Spain	Legislative	Mandatory		Proposed	Bill would require all public administration websites, software, and documents to be Linux compatible. <sup>187</sup>
Spain	Legislative	Preference	May 2002	Failed	"The Parliament rejected a proposed bill that would have required all regional governments to prefer open source software and promote development of open source products." <sup>188</sup>
Spain	Legislative	Preference	Aug. 2002	Proposed	Bill would require regional governments to establish OSS preferences. <sup>189</sup>
Spain	N/A	R&D	Mar. 2005	Approved	The government created the National Center for Open Source Software. <sup>190</sup>
Spain	Development of the Information Society	R&D	May 2006	Approved	Government will provide 12 Million Euros for OSS research projects. <sup>191</sup>
Spain	N/A	R&D	May 2006	Approved	"The National Plan for Scientific Research, Development and Technological Innovation (2004-2007) includes a specific budget line for OSS projects, representing 5% of the total budget for R&D for Information Society technologies." <sup>192</sup>
Spain	Legislative	Preference	Jan. 2007	Approved	Nearly unanimous resolution in the Parliament promotes the use of OSS in public administration. <sup>193</sup>

Spain	Legislative	Advisory	Jan. 2007	Approved	“An almost unanimous resolution of the Spanish parliament in mid December urges the government to promote free software. The resolution got 299 votes in favor.” <sup>194</sup>
Sri Lanka	ICT Agency	Advisory	Jan. 2004	Proposed	ICT Agency Chair stated, “While the Government realizes that Open Source is not suitable for all situations, it supports and encourages its use where it provides a benefit. Sri Lankan companies too may benefit by adopting open source development methodologies when they make business sense.” <sup>195</sup>
Sweden	Agency for Public Management	R&D	Aug. 2003	Approved	The Swedish Agency for Public Management (Statskontoret) completed a study “to describe free and open source software and to offer suggestions for further work and measures.” The report recommends that OSS “be judged on an even par with proprietary software in a procurement process.” <sup>196</sup>
Sweden	Association of Local Authorities and Regions	R&D	Nov. 2005	Approved	The Swedish Association of Local Authorities and Regions is running “Programverket,” a project to help the public sector adopt or convert to OSS. Programverket will also provide support and facilitate collaboration with OSS in the public sector. <sup>197</sup>
Switzerland	IT Council	Advisory	Mar. 2004	Approved	Four-year strategy allows central and local governments to consider OSS alongside proprietary software and sets up “an environment for successful OSS implementation.” <sup>198</sup>
Taiwan	Ministry of Economic Affairs	Preference	Oct. 2003	Approved	Taiwan will spend US\$3.4 million into promoting OSS development. The government “aims to have 30% of servers and 5% of personal computers operating on open-source software by 2007.” <sup>199</sup>
Taiwan	Commission of the Legislative Yuan	Preference	June 2002	Approved	The Government wants to encourage R&D and use of OSS. The initiative, which aimed to decrease licensing fees for the government’s 1.23 million PCs, resulted in Microsoft price cuts for Taiwan. <sup>200</sup>
Taiwan	Government Procurement Agency	Mandatory	June 2006	Approved	All government PC’s must be Linux compatible. <sup>201</sup>
Tanzania	Executive	Advisory	Feb. 2003	Approved	A National ICT Policy document recommends the use of OSS. <sup>202</sup>
Tanzania	Executive	Preference	2003	Approved	Tanzania’s national ICT policy, adopted in 2003, encourages the use of OSS. <sup>203</sup>
Thailand	Ministerial	Advisory	June 2003	Approved	Agreement between the ICT Ministry and the Ministry of Science and Technology to develop and promote OSS in private sector. <sup>204</sup>
Thailand	ICT Ministry	Advisory	May / Nov. 2003	Approved	Agreement with the Thai Software Industry (ATSI) to stimulate OSS development and to distribute one million Linux based computers by May 2004. <sup>205</sup> By August 2003, the government had sold 300,000 PCs. <sup>206</sup>
Thailand	National Electronic and Computer Technology Centre	Advisory	May 2005	Approved	The NECTEC director is encouraging the use of OSS and said the Thai government has no plans to completely eliminate proprietary software, but would be happy with a 50 percent OSS penetration rate. <sup>207</sup>



Thailand	Software Industry Promotion Agency	Advisory	Feb. 2005	Approved	SIPA is driving Linux adoption in government agencies, schools, and universities. <sup>208</sup>
Thailand	Information and Communications Ministry	Advisory	Dec. 2002	Proposed	“The Information and Communications Ministry strongly endorsed open source software in connection with an announcement of 95 new ICT projects for 2003... the Ministry would encourage government agencies to increase the use of free software, including the Pladoa (Thai language open source software) operating system.” <sup>209</sup>
Thailand	Information and Communications Ministry	Preference	Feb. 2003	Proposed	“The Information and Communications Ministry announced that the Ministry would support open source technology with funding and policy initiatives.” <sup>210</sup>
Thailand	National Electronic and Computer Technology Centre	R&D	Sept. 2004	Approved	In October 2001, “Government officials announced that agencies would begin backing initiatives aimed at using the Thai language OSS (Pladoa) in an effort to reduce costs, reduce software piracy, and increase the self-sufficiency of Thailand’s economy. Some members of Parliament have also proposed incorporating open source specifications into government IT procurement. Thailand’s [NECTEC] is actively involved in the development of OSS office suites and Linux based operating systems.” <sup>211</sup> In 2003, NECTEC developed a Linux distribution for schools and government desktops. In January 2004, as a partnership with the Lab School Project, NECTEC began developing Linux server distribution for 921 schools. <sup>212</sup>
Thailand	Software Industry Promotion Agency (SIPA)	R&D	Nov. 2008	Approved	“Thailand’s Software Industry Promotion Agency (SIPA) has developed Thailand’s first open-source software-development roadmap to transform the country into a leading open-source development centre by 2011. The agency has allocated a budget of about US\$1.5 million a year to encourage open-source software development and achieve its roadmap goals.” <sup>213</sup>
Tunisia	Government	Advisory	Jul. 2001	Approved	In July 2001, the Government of Tunisia defined a FOSS policy. The objectives included encouraging migration to FOSS, including FOSS in school curricula, providing incentives to FOSS company start-ups, and ensuring that public procurement policies are not biased against FOSS. <sup>214</sup>
Turkey	Ministry of Defense	Mandatory	Aug. 2007	Approved	Turkey’s Military Recruitment Division installed Pardus Linux on 4,500 of its desktops and 500 of its servers. The use of Pardus Linux is part of a broader national digital archiving and analysis project.
UK	OGC/ e-Government Unit	Advisory	Oct. 2004	Approved	The updated version of Government policy on the use of Open Source Software within the UK government specifies software choices should be made on a money-for-value basis, giving no preference to OSS. The National Technical Authority for Information Assurance (CESG) will examine issues regarding OSS for use in government systems. <sup>215</sup>
UK	OGC	R&D	Sept. 2003	Approved	November 2002 Case Study and September 2003 “Proof of Concept” Final Report state that OSS is a “viable and credible alternative” to proprietary software and recommend the public sector consider benefits of development and migration. <sup>216</sup>



UK	OGC/ e-Government Unit	R&D	Oct. 2003 / Oct. 2004	Approved	Nine government agencies tested OSS to “measure the effectiveness and cost-benefits of IT systems based on OSS products.” <sup>217</sup> OCG concluded testing found that “open source software is a viable and credible alternative to proprietary software” for many applications, but there are still limitations hindering its use. It recommends a gradual introduction of OSS as applications improve. <sup>218</sup>
UK	e-Envoy Office / Dept. of Industry and Trade	R&D	Feb. 2003	Approved	“The e-Envoy Office and the Department of Industry and Trade (DTI) adopted interim conclusions on government-funded R&D software outputs... [that] state that if no exploitation route is specified for government-funded R&D software outputs, the default position of the government should be ‘to adopt an open source software license which complies with the OSI definition (which includes the GPL and Berkeley style licenses) or a UK-specific analogue of it’ [and] ‘all government-funded software should be accompanied by appropriate documentation which will assist the exploitation via the open source software license’.” <sup>219</sup>
UK	Office of the Deputy Prime Minister	R&D	June 2005	Approved	The government will sponsor research at the National Computing Centre in OS applications in the public sector. <sup>220</sup>
UK	Chief Information Office Council	Preference	Mar. 2009	Approved	<p style="text-align: center;">The UK’s Open Source policy is as follows:</p> <ul style="list-style-type: none"> <li>• The Government will actively and fairly consider open source solutions alongside proprietary ones in making procurement decisions,</li> <li>• Procurement decisions will be made on the basis on the best value for money solution to the business requirement, taking account of total lifetime cost of ownership of the solution, including exit and transition costs, after ensuring that solutions fulfill minimum and essential capability, security, scalability, transferability, support and manageability requirements.</li> <li>• The Government will expect those putting forward IT solutions to develop where necessary a suitable mix of open source and proprietary products to ensure that the best possible overall solution can be considered.</li> <li>• Where there is no significant overall cost difference between open and non-open source products, open source will be selected on the basis of its additional inherent flexibility<sup>221</sup></li> </ul>
Ukraine	Legislative	Preference	Mar. 2003	Failed	<p>A member of Parliament introduced a new version of an open source software preference bill originally submitted in August 2002. The bill mandates the use of free software and free licenses in all government institutions at the state and local level and state-owned agencies when such software “exists in the market (or is freely accessible); and does not yield to ‘closed’ software and/or has advantages compared with the ‘closed’ software according to correlation of price and function.”<sup>222</sup> A version of this legislation was still under consideration in June 2005.<sup>223</sup></p> <p style="text-align: center;">Both bills have been defeated.<sup>224</sup></p>
UN	UNDP	Advisory	Apr. 2003	Approved	“The UNDP actively promotes government open source software adoption. The Asia-Pacific Development Information Programme (APDIP) of the UNDP launched the International Open Source Network to aid countries in sharing information on open source software. UNDP is implementing the DOT Force action items on software development by promoting the use and dissemination of open source software within developing countries.” <sup>225</sup>

UN	UNCTAD	Advisory	Nov. 2003	Approved	Calls on poor countries to adopt OSS to bridge the digital divide by lowering costs, increasing security, stimulating local economies, and avoiding proprietary lock-in as reasons for adopting OSS. <sup>226</sup>
U.S.	Department of Defense	Advisory	June 2003	Approved	Established rules for open source use at DoD. <sup>227</sup>
U.S.	Office of Management and Budget	Advisory	July 2004	Approved	Agencies' procurements must consider cost of ownership and maintenance, as well as risks, security, and privacy of data. Policies are "technology and vendor neutral." <sup>228</sup>
<b>U.S.</b> <b>(Jim's not sure)</b>	<b>Navy</b>	<b>Mandatory</b>	<b>Mar.2008</b>	<b>Approved</b>	<b><i>The Navy will acquire only systems based on open technologies and standards.</i></b> <b><i>Vice Adm. Mark Edwards, deputy chief of naval operations for communications broke the news March 5 to a Navy IT Day audience in Vienna, Va., sponsored by AFCEA International.</i></b> <sup>229</sup>
U.S.	Department of Defense	Advisory	2006	Approved	With the aim of fostering broader military adoption of open source software, the DoD defined an Open Technology Development roadmap in 2006. The Open Source Software Institute helped the Pentagon develop the roadmap. <sup>230</sup>
U.S.	Department of Defense	Advisory	Oct. 2008	Approved	The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law No: 110-417) calls for the consideration of "open architecture software" in the procurement strategy for manned or unmanned aerial vehicles. Interestingly, the original version of the bill that passed in the House specifically called for the consideration of "open source software code;" however, in the final version of the bill, this was changed to "open architecture software," a designation that includes proprietary software with accessible source codes. <sup>231</sup>
U.S.	Legislative	R&D	Sep. 2008	Failed	The Health e-Information Technology Act of 2008 called for the creation of a Federal Open Source Health IT System as a low-cost approach to sharing electronic health records (EHRs). The legislation died in committee at the end of the Congressional term. <sup>232</sup>
U.S.	Legislative	R&D	Feb.2009	Approved	The stimulus bill, The American Recovery and Reinvestment Act of 2009 (ARRA), called for a study and report on the "availability of open source health IT systems." The deadline for study results is slated for Oct. 1, 2010. <sup>233</sup>
U.S.	Legislative	Mandatory	Apr.2009	Proposed	Sen. John D. Rockefeller IV (D-WV) proposed legislation in April for the adoption of a nationwide, open source program for sharing electronic health records. The legislation now awaits debate. <sup>234</sup>
Venezuela	Executive	Advisory	Aug. 2002	Approved	The government policy articulates "open source whenever possible, proprietary software only when necessary." <sup>235</sup>
Venezuela	Executive	Mandatory	Dec. 2004	Approved	The decree requires all public administration systems to shift to OSS, and in the cases where OSS cannot be used, the agency in need must take requests to adopt other solutions to the Ministry of Science and Technology. The decree also talks about R&D, cooperation, and education in OSS. <sup>236</sup>

Venezuela	Executive	R&D	Nov. 2003	Approved	The Venezuelan Academy of Open Source Software opens in Mérida. <sup>237</sup>
Vietnam	Executive	Preference	Mar. 2004	Approved	OSS plan for 2004-2008 approved by Prime Minister to develop and accelerate use of OSS for ICT applications; the measure takes steps to encourage OSS adoption in state-owned companies and ministries, but does not require it. <sup>238</sup>
Vietnam	Ministry of Science, Technology, and Environment	R&D	Mar. 2004	Approved	The Ministry will spend \$20 million over four years to promote OSS use, develop new OSS applications, and build a skill pool. <sup>239</sup>
Vietnam	Ninth Party National Congress	R&D	Aug. 2002	Approved	“The Ninth Party National Congress approved ‘The Master Plan for IT Use and Development in Vietnam for the Period 2001-2005.’ The Plan, overseen by the Ministry of Science, Technology, and Environment (MOSTE) calls for the accelerated development of ‘system, intermediate and application software in Vietnamese based Linux or other open source operating systems’.” <sup>240</sup>
Vietnam	Minister of Information and Communications	Mandatory	June 2009	Approved	“June 30, 2009, 100% of clients of IT divisions of government agencies must be installed with open source software.” <sup>241</sup>

## States / Provinces / Cities Open Source Policies

Data Compiled by Jason Keiber, Joshua Krieger, Ashley Rasmussen, and Jitka Sladka

Policies that have been added since the last version of this chart are listed in BLUE.  
Policies that have been updated since the last version of this chart are listed in RED.

GOVERNMENT	BRANCH OR AGENCY	ACTION	DATE	STATUS	DETAILS AND SOURCES
Argentina, Buenos Aires City	Legislative	Mandatory	2004	Failed	Three separate bills, from 2002-2004, requiring all information systems in the public sector must use OSS. All three bills were handled by the Committee of Education, Science and Technology, and the 2004 version went through the General Legislation and Work, and Budget and Public Finance committees as well. <sup>242</sup>
Argentina, Jujuy Province	Legislative	Mandatory	May 2002	Proposed	All state computer systems will run OSS. As of May 2002, the bill was being handled by the Committee of General Legislation. <sup>243</sup>
Argentina, La Plata City	Legislative	Mandatory	Nov. 2002	Proposed	Draft decree mandating use of free software for all local public administrations. <sup>244</sup>
Argentina, Buenos Aires Province	Legislative	Mandatory	Nov. 2003	Failed	Senate passed bill “E-135 2002 2003” on November 26, 2003; sent to House. Bill would have mandated exclusive use of OSS when possible. <sup>245</sup>
Argentina, Misiones Province	Legislative	Mandatory	Nov. 2003	Proposed	Bill D22034/03 proposed mandating migration to OSS in all provincial offices and businesses where the state was the majority stakeholder. <sup>246</sup>
Argentina, Santa Fe Province	Legislative	Preference	Nov. 2004	Approved	Law N 12.360 establishes a preference for open source software in the executive, legislative, and judicial branches of Santa Fe’s provincial government. <sup>247</sup>
Argentina, Santa Fe City	Legislative	Mandatory	July 2004	Approved	Council Bill 25495-O-04 established guidelines for software procurement by the municipal administration. It mandated that the source code be open and accessible, and the program “royalty free.” <sup>248</sup>
Argentina, City of Porteña	Legislative	R&D	Apr. 2004	Approved	Ordinance 1275/2004 (Peretti, Rossotto & Sadone) directs the Municipal Executive Department of Porteña City to develop a plan “of migration” to transfer municipal information systems onto platforms of free programs and OSS, in accordance with the statements, plans and standards of the federal government. <sup>249</sup>

Argentina, City of Rosario	Legislative	Mandatory	Apr. 2004	Approved	Ordinance passed which mandates the use of OSS in not only the municipal government, but also any businesses in which the city holds a majority stake. The legislation also lists, in order, the permitted alternatives that can be used if no OSS exists for a certain program. The “Principles” listed in the legislation indicate that the transition to OSS is driven by a desire for greater control over the function, design, and security of information systems, a desire for greater transparency, and a desire to advance the national software industry. <sup>250</sup>
Argentina, Mar del Plata City	Legislative	Mandatory	Aug. 2006	Approved	Council Bill 1850-V-05 was proposed in Mar del Plata’s City council in Dec. 2005 and passed in Aug. 2006. It mandates migration to OSS in all municipal agencies and companies where the city is the majority stakeholder. <sup>251</sup>
Australia, Victoria	Info and Comm Technology Ministry	Preference	Dec. 2003	Approved	The Victoria government gave a \$50,000 grant to Open Source Victoria (OSV), a cluster of over 80 firms working in technology related to FOSS as part of a gov’t program to promote FOSS. <sup>252</sup>
Australia, ACT	Legislative	Advisory	Dec. 2003	Approved	“The Australian Capital Territory has become the first Australian jurisdiction to mandate the <i>consideration</i> of open source software for government entities.” <sup>253</sup>
Australia, NSW	Department of Commerce	Preference	Oct. 2003	Approved	NSW gov’t signed contract with U.S. OSS company, enabling agencies to make procurements. <sup>254</sup>
Australia, NSW	Legislation	Preference	July 2003	Proposed	Bill proposed similar to SA bill requiring public authorities to prefer OSS to commercial software. <sup>255</sup>
Australia, NSW	N/A	Preference	Apr. 2005	Approved	Government established an “accredited panel of companies” to provide “specialist assistance in the provision of open-source software services” so that “agencies will not have to go through the time-consuming and expensive process of running an open tender every time they require Linux software and services.” Panelists included representatives from major OSS and computer companies. <sup>256</sup>
Australia, South Australia	Legislation	Preference	2003	Failed	SA government “State Supply Amendment Bill 2003” stated that “A public authority must, in making a decision about the procurement of computer software... use open source software in preference to proprietary software.” Bill Lapsed. <sup>257</sup>
Australia, Victoria	Legislative	Advisory	June 2005	Approved	A parliament committee recommends OSS for use in e-voting machines so voters can “be satisfied with the integrity of the system.” <sup>258</sup>
Australia, Western Australia	State Development Ministry	R&D	Aug. 2004	Approved	State Development Minister Clive Brown created an open source demonstration centre to promote and support the use of OSS in the region. <sup>259</sup>
Austria, Vienna	City Council	Preference	Jan. 2005	Approved	City of Vienna will begin “soft migration” to Open Office and Linux by offering the software to local government users in the second quarter of 2005. <sup>260</sup>
Belgium, Brussels-Capital Region	Legislative	Mandatory	Feb. 2003	Proposed	Requires the exclusive use of OSS in the public administration of the Brussels-Capital Region. Passed by “la Commission des Affaires générales de la Cocof” on February 11, 2003, but requires a vote by the Assembly. Currently in the Conseil d’Etat. <sup>261</sup>

Belgium, Brussels-Capital Region	Legislative	Mandatory	Sept. 2003	Proposed	Introduced at the federal level, this bill would require the exclusive use of OSS in the public administration of the Brussels-Capital Region. <sup>262</sup>
Brazil, multiple municipalities	Legislative	Preference	2003	Approved	Amparo, Campinas, Porto Alegre, Recife, São Carlos, Solonopole, Ribeirão Pires, and Viçosa have passed laws requiring the use of OSS when available. <sup>263</sup>
Brazil, municipalities of Cuiiritiba, Florianopolis, Sao Paulo	N/A	R&D	2003	Proposed	Cities “have considered or are considering open source preference proposals.” Some proposals have already failed. <sup>264</sup>
Brazil, City of Rio de Janeiro	Legislative	Preference	Passed in 2006. Rejected in May 2007	Rejected	The Rio City Council initially passed and then overturned a veto by the city’s mayor to establish an OSS preference in Municipal Law No. 4355/2006. However, this law was deemed unconstitutional by the state court in May 2007. <sup>265</sup>
Brazil, State of Rio Grande do Sul	Legislative	Mandatory	Passed in 2003. Rejected in Apr. 2004	Rejected	“In April 2004, the Brazilian Supreme Court voted unanimously to bar enforcement of a law passed by the Rio Grande do Sul state legislature, which required the use of OSS in government agencies when available.” <sup>266</sup>
Brazil, State of Ceara	Legislative	Preference	Apr. 2008	Approved	Law passed that "established the preferential use of free software as corporate standard tool for implementation and management of state policy of information technology and communication within the Government of the State of Ceara". This "preferential use" has already resulted in every department switching from the proprietary Oracle database to the open source PostgreSQL database. <sup>267</sup>
Brazil, State of Espirito Santo	Legislative	Preference	Dec. 2002	Approved	Requires state public administrations and state-owned companies to give preference to OSS systems and programs. <sup>268</sup>
Brazil, State of Mato Grosso do Sol	Legislative	Preference	Apr. 2003	Approved	Bill authorizing use of OSS in public administrations, state agencies, and companies; also lists OSS advantages. <sup>269</sup>
Brazil, State of Parana	Legislative	Preference	June 2004	Approved	State government shall prefer OSS operating systems and software in public administrations. The state technology organization is offering free software to 10,000 gov’t employees. <sup>270</sup>
Brazil, State of Santa Catarina	Legislative	Preference	Jan. 2004	Approved	Preferential use of OSS by state administrations and agencies. <sup>271</sup>
Brazil, State of São Paulo	State Gov’t	R&D	Nov. 2004	Approved	OSS company signed a cooperation agreement with the State Gov’t to train 980 state government professionals in OSS and OSS IT management. <sup>272</sup>

Brazil, States of Bahia, Minas Gerais, Rio de Janeiro, and São Paulo	Legislative	Preference	Feb. 2004	Proposed	OSS proposals pending. <sup>273</sup>
Canada, Vancouver	Legislative	Advisory	May 2009	Approved	“The City of Vancouver, when replacing existing software or considering new applications, will place open source software on an equal footing with commercial systems during procurement cycles.” <sup>274</sup>
Denmark, City of Tønder	Municipality of Tønder	R&D	Feb. 2009	Approved	All students and teachers at the elementary school in the municipality of Tønder were given a 1 Gbyte USB key pre-loaded with open source applications last week. The municipality as a matter of principle says it will use open source when possible, and in this case it certainly is, says Softwareborsen's Morten Kristoffer Hansen <sup>275</sup>
Finland, Turku	N/A	R&D	Aug. 2004	Failed	Move to Linux seemed probable after pilot testing in 2001, but the city abandoned the switch in favor of Windows systems. <sup>276</sup>
France , Brest	N/A	R&D	Apr. 2005	Approved	City is distributing CDs to the population with open-source word processing software, a standard spreadsheet, and web browser. <sup>277</sup>
France, Arles	IT Department	Preference	May 2005	Approved	With the implementation of “Open Elec” software, all PCs in the municipality have migrated to open source office suites, databases, and application servers, though they are still running proprietary operating systems. <sup>278</sup>
France, Paris	City Council	Preference	Nov. 2005	Approved	In 2004, The city council pushed for a shift to OSS, despite a report that indicated an immediate, system-wide shift would be costly and infeasible. As of November 2005, 196 of the Paris government’s 395 servers were running Linux, and the government invited 46,000 staff to use OSS. <sup>279</sup>
France, Paris	The Paris regional council	Advisory	Oct. 2007	Approved	The Paris regional council distributed 175,000 USB keys loaded with Open Source software to school students and their teachers at a cost of 2.6 million euro. This was done to create equal access to proprietary and free and open software to youth. <sup>280</sup>
France, Paris	Paris city council	Mandatory	July 2007	Approved	The Paris city council is installing Open Source software on their new laptops. The French city representatives are attracted by Open Source's 'culture of creativity and independence'. This type of software gives them more control over the entire data process. <sup>281</sup>
Germany, Mecklenburg-Western Pomerania	National Audit Office	Preference	Nov. 2003	Proposed	National audit office of Mecklenburg-Western Pomerania, which also provides support to the federal government, changed over to Linux. The entire federal state plans to change over to open source. <sup>282</sup>
Germany, Schwabisch Hall	N/A	Preference	Mar. 2003	Approved	The City completed its plan of converting all 300 desktops and 15 servers from Microsoft to Linux software. <sup>283</sup>
Germany, Frisia	N/A	Preference	June 2005	Approved	The regional government announced plans to migrate to OSS by 2007. <sup>284</sup>



Germany, Mannheim	N/A	Preference	Dec. 2005	Approved	The city has already migrated all servers to OSS. Next, all 3,500 desktops will move to open source office suites and operating systems. The reason cited is to support open standards, not costs. In fact, they state that they do not necessarily expect cost savings with OSS. <sup>285</sup>
Germany, Munich	Legislation	Preference	Sept. 2004	Approved	Spending ~30 million Euros switching 14,000 computers (May 2003). Officially adopted on June 16, 2004, paused in Fall 2004 because of legal concerns, then resumed in September 2004. <sup>286</sup>
Germany, Munich	Legislative	Mandatory	May 2003	Approved	Munich government voted to switch 14,000 computers from Windows to Linux operating system, despite Microsoft's efforts to change their mind. <sup>287</sup>
Germany, Sachsen-Anhalt	IT Policy maker for the State government of Sachsen-Anhalt	Preference	Sept. 2008	Approved	The state government of Sachsen-Anhalt agreed on its new IT strategy stating that the use of Open Standards and Open Source will be encouraged. They find Open Source as a way to avoid vendor lock-in and help reduce license costs. <sup>288</sup>
India, State of Goa	Department of Information Technology	Preference	Jan. 2002	Approved	IT Secretary issued circular recommending the use of Linux. <sup>289</sup>
India, State of Kerala	Legislative	Advisory	Jan. 2007	Proposed	Kerala state to support private initiatives in development of IT parks. Proposals include establishment of an International Centre for Free Software and Computing for Development, ITES Training Centre (in Kochi), and extension of Internet to all educational institutions and villages by 2010. <sup>290</sup>
India, State of Kerala	Legislative	Preference	June 2007	Approved	Kerala state government partnered with Red Hat India to train teachers and government users to use the Linux platform. <sup>291</sup>
India, State of Maharashtra	Ministry of IT	R&D	Apr. 2005	Approved	Ministry of IT launched a freely distributed CD of an Indianised GNU/Linux operating system with open source applications. <sup>292</sup>
India, State of Tamil Nadu	Legislative	Preference	May 2005	Approved	Government provides Linux in desktop systems only used for office application. The managing director of the Electronics Corp. of Tamil Nadu said that government offices that want to use Windows must prove it to be absolutely necessary. <sup>293</sup>
India, State of Kerla	The State of Kerla	R&D	June 2007	Approved	"According to a statement, the Kerala government has identified free and open-source software as a major strategic component in its efforts to build an inclusive information society." "Kerala has always been a leader in literacy, and now we want to make Kerala a leader in e-literacy," said Kerala Chief Minister V. S. Achutanandan. "We believe that free and open-source software is an essential component in our drive to democratize information technology and bring its benefits to all sections of society." <sup>294</sup>
Italy, Province of Emilia Romagna	Legislative	Preference	Nov. 2004	Approved	Law 24/05/2004 N.11 says, "The Regional Structure must program the introduction of FLOSS, Open Data Standards and open/free communication protocols." Stated goals of the law are to provide freedom to access and to remove technical "barriers," such as non-standard formats. <sup>295</sup>



Italy, Province of Lombardy	Legislative	Preference	May 2003	Proposed	OSS preference proposal introduced. <sup>296</sup>
Italy, Province of Pescara	Legislative	Preference	Nov. 2004	Approved	May 2002 motion to introduce and develop FOSS in the local public administration. Province also set out to purchase Linux systems for school construction and public education. <sup>297</sup>
Italy, Rome	N/A	R&D	Feb. 2004	Approved	Linux will be used in some of the public administration's computers as a test. <sup>298</sup>
Italy, Rome	e-Governance Department	R&D	Feb. 2007	Approved	Province of Rome to hold contest for 18-24 year old programmers. Contestants must use OSS and "develop a completely new application" that "should provide an original solution to typical public administration tasks." The top contestant will receive 4,500 euros. The contest goal is to promote OSS for local public administration. <sup>299</sup>
Italy, Tuscany	Legislative	Preference	Jan. 2004	Approved	Bill 186, states a preference for OSS in all IT use by the regional public administration. <sup>300</sup>
Italy: Florence, Lodi, Milan, Pescara, Argenta, Torino, Pistoia	Green Party Motions in City governments	Preference	2001-2003	Approved	Motions to introduce and expand the use of OSS in the public administration. The bills share some of the same language and seem to be initiated all around by the Green Party. <sup>301</sup> [Note: some are still pending.]
Italy, Umbria	The Regional Government of Umbria	R&D	March 2007	Approved	"The regional government of Umbria is investing 100,000 euro to promote the use of Open Source in local schools. The Italian region will soon train students, teachers and education management in the use of this type of software." The initiative, unveiled in February, is one of the first concrete steps in implementing a regional Open Source law ". <sup>302</sup>
Japan: Prefecture of Hokkaido, Sumoto City	N/A	Preference	Feb. 2004	Proposed	Announced or considering systems migration to OSS. <sup>303</sup>
Japan: Prefecture of Nagasaki	N/A	Preference	2003	Proposed	Announced business plans promoting OSS. <sup>304</sup>
Malaysia, state of Terengganu	State prime minister	Preference	Feb. 2005 / May 2006	Approved	State will emulate Spain's Extremadura region in promoting OSS. Government issued reports and held seminars on the use of OSS at program launching ceremony. <sup>305</sup>
Netherlands, Municipality of Eindhoven	City Council	Preference	Nov. 2004	Proposed	Municipality wants a plan to use OSS by Spring 2005 believing it can reduce IT costs. The motion was initiated by the political party SP. <sup>306</sup>
Netherlands, Amsterdam	N/A	Preference	Oct. 2003 / Dec. 2006	Proposed	OSS test for server and desktop applications could lead to migration of 15,000 city council desktops. <sup>307</sup> The City's contract with Microsoft expires in 2008, so it will test the Linux operating system with the city's housing service and the borough of Zeeburg before deciding whether to renew their Microsoft contract or move to OSS. <sup>308</sup>

Netherlands, Amsterdam	Legislative	R&D	Apr. 2009	Approved	A motion unanimously adopted by the City Council of Amsterdam instructs city administration to present a plan and budget for complete migration to open source. The motion also demands double the scope of its current open source desktop pilot. <sup>309</sup>
Netherlands, Municipality of Haren	N/A	Preference	Apr. 2005	Proposed	The municipality wants to establish an open source server-based computing environment and is evaluating “the use of open source desktop solutions aiming to encourage and to implement free software within the municipality in 2005.” <sup>310</sup>
Norway, Bergen	N/A	Preference	June 2004	Approved	The city will move education and health servers to OSS due to cost and system reliability preference. The large scale migration was about 50 percent complete by November 2004. <sup>311</sup>
Norway, Oslo	Education office	R&D	Nov. 2003	Approved	The project aims “to use Linux throughout all the Schools in Oslo, and also have it integrated with the municipalities' administrative systems.” <sup>312</sup>
Spain, Andalucia	Legislative	Preference	Mar. 2003	Approved	All educational computers and public Internet sites must be compatible with free software. <sup>313</sup>
Spain, Asturias	N/A	Preference	Nov. 2004	Proposed	The Asturian government has agreed on a plan to gradually install OSS on all public administration desktops. <sup>314</sup>
Spain, Barcelona	City Council	Advisory	Dec. 2004	Approved	IT strategy calls for the promotion of OSS within the City of Barcelona’s administration. <sup>315</sup> By July 2005, “the city has distributed more than 60,000 CDs with CATix, an internationalized version of GNU/Linux in Catalan.” <sup>316</sup>
Spain, Canary Islands	Legislative	Advisory	July 2001	Approved	A nonbonding resolution urging the use of FOSS. <sup>317</sup>
Spain, Catalonia	Legislative	Preference	May 2002	Proposed	Bill would require a preference for OSS in all public administrative bodies. <sup>318</sup>
Spain, Catalonia	Ministry of Education	R&D	Oct. 2004	Proposed	Ministry will pursue OSS options in schools beginning in the 2005-2006 school year. <sup>319</sup>
Spain, Region of Catalonia	Dept. of Governance and Public Admin.	R&D	June 2008	Approved	“Catalonia will spend 50,000 euro to develop Open Source professionals.” <sup>320</sup>
Spain, Region of Catalonia	Center for Telecommunications and Information Technology (CITI)	Advisory	July 2008	Approved	CITI presented its “Guidelines for Open Source Software,” informing Catalonia’s public administrations about the benefits and opportunities of open source. CITI’s director believes the paper will encourage public administrations to use Open Source. <sup>321</sup>
Spain, Extremadura	Legislative	Preference	Nov. 2002 / May 2004	Approved	The Spanish region of Extremadura has gone open source, deciding to move its entire administration to Linux and open source software within a year. <sup>322</sup>

Spain, Galicia	Galician Council for Information and Industry	R&D	May 2006	Approved	The Galician government helped set up Forxa, a “repository for Open Source software,” with hopes that it would stimulate the region’s software industry. <sup>323</sup>
Spain, Madrid	Legislative	Advisory	June 2009	Approved	The City Council of Madrid opened a technology development and training center, aiming to expand FOSS among small businesses. Named “Madrid on Rails” the center costs about 1.3 million euro. It is funded by the City Council whose goal is to make Madrid a world leader in OSS technologies. <sup>324</sup>
Spain, Valencia	N/A	Advisory	Feb. 2004	Approved	Launched Spring 2003 initiative to promote OSS use in educational field. <sup>325</sup>
Spain, Valencia	Executive	Mandatory	May 2005	Proposed	A spokesman for the administration said that public officials have a duty not to pay for software, and that the regional administration would shift to OSS within two years. <sup>326</sup>
Switzerland, Geneva Canton	Tax Office	Preference	Feb. 2003	Approved	Along with a tax declaration program, Swiss authorities sent all taxpayers copies of two open source programs. <sup>327</sup>
Switzerland, Zurich	N/A	Advisory	Sept. 2003	Proposed	City of Zurich to report on what it would take to start a transfer to FOSS. <sup>328</sup> In 2005, “the city announced that open source as well as proprietary software will be treated equivalently.” <sup>329</sup>
Switzerland, Zurich	Zurich	Preference	2005	Approved	Open source and proprietary software should be treated as equivalents, but open source would be the preferred option if the project was reasonable. <sup>330</sup>
Thailand, Bangkok	Bangkok Metropolitan Administration (BMA)	Preference	Feb. 2003	Approved	Policy announced that BMA would use OSS because of cost concerns. <sup>331</sup>
UK, Cheshire County	County Council	R&D	June 2005	Approved	The county is the first to test OSS in the national OS Lab in Manchester. <sup>332</sup>
UK, City of Newham	City Council	Preference	Nov. 2003 / Aug. 2004	Failed	Newham council announced that, after study, significant savings not achievable from OSS migration. <sup>333</sup> After the study, Newham signed a ten-year deal with Microsoft. <sup>334</sup>
UK, City of Nottingham	City Council	Preference	June 2003	Proposed	Council examined feasibility of migrating its 6,500 desktops to OSS. <sup>335</sup>
UK, West Yorkshire	Police	R&D	Oct. 2002	Approved	In pilot program, West Yorkshire police tested Linux workstations on their 3,500 desktops. <sup>336</sup>
Uruguay, City of San José	Legislative	Preference	June 2003	Approved	Resolution passed calling for exclusive use of OSS within administration. <sup>337</sup>
U.S., Alabama	Legislation	Advisory	2005	Failed	Legislation introduced in March 2004 to expressly permit OSS use in state agencies where feasible; failed in committee. <sup>338</sup>

U.S., Arizona	Legislative	Mandatory	Mar. 2006	Proposed	Bill to mandate the use of open source software in vote tabulating programs for all state and local elections. <sup>339</sup>
U.S., Beaverton, Oregon	Executive	R&D	Jan. 2005	Approved	City and state will provide \$1.2 million for a facility to lure open-source start-ups. <sup>340</sup>
U.S., California	Performance Review Commission	Advisory	2004	Approved	A commission appointed by the governor recommended that state agencies implement OSS where feasible. <sup>341</sup>
U.S., California	Legislative	Mandatory		Failed	“Digital Software Security Act.” All software for the state must be open source. <sup>342</sup>
U.S., Hawaii	Legislative	Preference	Apr. 2003	Failed	Bill would have required report on OSS use and the creation of a state policy supporting OSS applications within government agencies. Bill passed Senate and was left in House committees. <sup>343</sup>
U.S., Hawaii	Legislative	Advisory	2004	Approved	2004 HB1739 establishes OSS pilot project in Department of Education. Passed after committee amendments decreased appropriations from \$50,000 to “\$1 or so much thereof as may be necessary for fiscal year 2004-2005.” <sup>344</sup>
U.S., Massachusetts	CIO Office	Advisory	Feb. 2003	Approved	IT Commission recommends, “Leverage ownership of existing application assets by establishing an ‘open source’ program within the Commonwealth.” <sup>345</sup>
U.S., Massachusetts	Secretary of Admin and Finance	Mandatory	Sept. 2003 / Jan. 2004	Failed	Government-wide policy of “open standards, open source” (when available) for all future spending on information technology. <sup>346</sup> Later the IT Acquisition Policy was clarified, saying that IT acquisitions shall be based on “best value” and consider “all possible solutions,” including software with open standards and open source. <sup>347</sup>
U.S., Massachusetts	Information Technology Division	Preference	Sept. 2005	Approved	“The OpenDocument format must be used for office documents,” which will result in the use of OSS office suites. In July 2007, the state added Microsoft’s Open XML format to its approved list for open standards. <sup>348</sup>
U.S., Massachusetts	Executive	Advisory	July 2007	Proposed	Having already mandated the use of open format applications, the executive branch “policy update would list [Microsoft’s standardized open format application] Office Open XML as acceptable ‘open formats’ for use by executive-branch state agencies.” <sup>349</sup>
U.S., Minnesota	Executive	R&D	May 2008	Approved	State government of Minnesota gave \$177,108 to train employees at 6 metro area businesses in OSS as part of a Department of Employment and Economic Development Minnesota Job Skills Partnership (MJSP) grant. <sup>350</sup>
U.S., Minnesota	Legislative	Mandatory	Apr. 2006	Proposed	“S.F. No. 3730: A bill...requiring state agencies to use open source software for creation of public documents...Referred to the Committee on State and Local Government Operations.” <sup>351</sup>
U.S., New York	Legislative	Advisory	June 2003	Proposed	Would require state agencies to consider OSS during software acquisitions within state agencies. <sup>352</sup>

U.S., New York	Legislative	R&D	July 2007	Proposed	Bill introduced in July 2007. Would require state's IT director to study the impact of using OSS. <sup>353</sup>
U.S., New York	Legislative	R&D	Mar. 3 2009	Proposed	An act to amend the tax law, in relation to providing a tax credit to individuals for up to two hundred dollars of expenses related to the development and posting of an open source or free license program. <sup>354</sup>
U.S., North Carolina	Legislative	Preference	2005	Approved	After concluding a 2 year study for procurement of election-related software, the State Board of Elections indicated that it would "like to move to open source coding for election software and firmware." <sup>355</sup>
U.S., Oklahoma	Legislative	Mandatory	Feb. 2003	Proposed	Bill proposed prohibits acquiring software unless the source code is provided. Reintroduced January 9, 2004. No action taken as of 2005. <sup>356</sup>
U.S., Oklahoma	Legislative	R&D	June 2009	Approved	Oklahoma House of Representatives approved a study to analyze "government entities' usage of open source technology products and consider possible application to Oklahoma state government in order to realize savings." <sup>357</sup>
U.S., Oregon	Legislative	Preference	May 2003	Failed	SB 941, for considering OSS during procurement. As of 8/27/2003, bill was "in committee upon adjournment." <sup>358</sup> Similar House bill, HB 2892, left in committee. <sup>359</sup>
U.S., Oregon	Legislative	Advisory	Mar. 2003	Failed	Rep. Phil Barnhart (D-Central Lane and Linn Counties) has introduced HB 2892 to require state agencies to consider open source software when considering software, system, or network computer purchases. <sup>360</sup>
U.S., Oregon	Legislative	Preference	Mar. 2004	Failed	Oregon's Legislature last year debated a bill to require public-sector agencies to consider open-source for any new software-development projects and to require written justification any time proprietary software was chosen instead. The bill died in committee. "The criticism was that the Legislature shouldn't tell state agencies what type of software to run," says state Rep. Jerry Krummel. <sup>361</sup>
U.S., Texas	Legislative	Advisory	May 2003	Proposed	Left pending in committee 05/08/2003, revised in 2003 to call on the Dept. of Information Resources to issue procurement guidelines that include simple consideration of open source; no action taken as of July 2007. <sup>362</sup>
U.S., Texas	Legislative	Mandatory	Feb. 2007	Expired	In Texas, SB 446, authored by state Sen. Juan Hinojosa, would mandate ODF as the required standard for state agencies. The act, if passed, would take effect on December 1, 2007, but agencies would be given until September 1, 2008, to comply. <sup>363</sup>
U.S., Texas	Legislative	Mandatory	Feb. 2009	Expired	Fort Worth State Representative Mark Veasey filed a bill this session that would require Texas State Agencies to create all of their documents in an open, freely-available file format standard. <sup>364</sup>
U.S., Wisconsin	Legislative	Mandatory	Nov. 2005	Proposed	Bill would require that "the coding for the software that is used to operate the system on Election Day and to tally the votes cast is publicly accessible and may be used to independently verify the accuracy and reliability of the operating and tallying procedures to be employed at any election." <sup>365</sup>

U.S., States of KS, MA, MO, PA, RI, UT, VA, WV	Cross State	R&D	June 2004	Approved	Launched June 30, 2004, "The Government Open Code Collaborative is a voluntary collaboration between public sector entities and non-profit academic institutions created for the purpose of encouraging the sharing, at no cost, of computer code developed for and by government entities where the redistribution of this code is allowed." <sup>366</sup>

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*Note: Orange = dead link, Blue = working link, Green = updated link*

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