

# ICPS newsletter<sup>®</sup>

## Ukraine is delaying the introduction of open software policy

***Open forms of intellectual property are among key factors that will help Ukraine enter the era of the information society, says ICPS Deputy Director for Development Volodymyr Nikitin. According to Mr. Nikitin, closed forms of intellectual property get in the way of progress in today's world, where the goal is the quick application of innovations***

In preparation for Verkhovna Rada hearings on the development of the information society, on 12 September 2005, the conference hall of the VR Committees Building was the venue for a roundtable on the problems of distributing open software and other forms of open intellectual property. Participants included civil servants, application specialists, specialists in introducing open software, and independent experts.

ICPS Deputy Director for Development Volodymyr Nikitin views the issue of struggling for the right to freely distribute intellectual property as a global process of transforming the institution of property, which has accompanied the change of more than one historical epochs. During the roundtable, Mr. Nikitin made a presentation called "The Historical and Cultural Context of Open Intellectual Property."

### To gain something, we must give up something else

Ukraine is about to take a historical step—to enter information society and the on-line culture. To do so, however, Ukraine needs to tackle a key problem: the issue of open forms of intellectual property. Like any historical step, this one means rejecting a part of the country's accumulated experience in order to fulfill dreams. This means adopting a policy on open intellectual products that is not based on our previous experience, but on our vision of the future, that is, on asking ourselves an important question: What will not happen in Ukraine if we do not make this step?

The new constellation of "top" countries in the world will be determined by the "fast" countries, those that readily accept innovations and apply them. To make this kind of speed possible, Ukraine needs ensure open access to intellectual resources

and the capacity to use them, because all forms of closed access severely restrict opportunities for changes. Too often, ownership is used as an instrument to deliberately hamper the progress of those seen as competitors.

### The concept of ownership is undergoing a historical transformation

It's important to understand that the contents and forms of ownership have gone through historical transformations in the past and are now going through another change process. During the Renaissance, one breakthrough in human development was that the concept of ownership began to no longer be applied to humans, whereas it began to be applied to time and ideas. Prior to the Renaissance, it was considered against nature to sell time, for example, in the form of loan interest, or to sell ideas, as they were a gift from God. At the same time, it was no longer prohibited to read and interpret the basic cultural code, the Bible. These events became the engines for the development of science.

The change in the understanding of forms of intellectual property is taking place in the context of global trends, such as recognizing that economic policy and economic thinking are secondary and subordinate to the aims of environmental or innovative policy.

### Competition is being replaced by partnership

Industrial societies aim at producing material products that become the object of ownership. Post-industrial societies aim at providing services and access to services. A post-industrial society has two main forms of organization: international corporations and network clusters.

### **Supporters of open code software say that open software:**

- Eliminates dependence on one software supplier;
- Reduces the costs of computerization;
- Has a higher level of security than closed software;
- Provides access to output code, that is, to the possibility of modifying software to suit individual needs.

### **One opponent of open code software, US software giant Microsoft, says:**

- The costs of personnel to maintain open code software are higher than those for Microsoft solutions;
- Servers operated by the Windows family of systems work faster than similar open code solutions;
- The cost of developing and supporting software under licensed platforms is lower than for similar open code platforms.

The corporation is a synthesis of industrial scale and new management technologies. For a corporation, the ideology of the product is the main thing and even services are treated as products. Corporations will do their best to protect what they consider their ownership of the material "product as thing," they will reproduce the idea of the mass, universal "product as service," and they will always be quick to accuse everyone else of stealing "their" product.

Unlike corporations, the aim of a network organization aims is to build new clusters of human relations or individual environments. Here, the main values are individuality and participation in the process. The product is the support provided for the process of developing a cluster, which itself belong to the customer. The skill of providing such services is the main and unalienable property and that can be sold.

Because of the growing role of interactive forms of co-organization, the virtual forms of the information society have started to develop rapidly alongside the idealized

forms (theories, principles, laws) that were the foundation of the scientific society. In virtual space, relations are on principle not defined by ideal forms but are determined by such things as popularity polls.

## Intellectual property is the paradox of the information society

In its time, competition replaced war, robbery and force as a way to redistribute wealth and organize development. Today, competition is beginning to exhaust global resources. Meanwhile, partnership has started to develop as a new form of organization through collaboration, that is, the possibility of jointly using and expanding resources. A well-known example of such collaboration is a project called Wikipedia, an encyclopedia created by thousands of voluntary authors.

Global education already offers free access to tens of thousands of programs that make it possible to build a huge number of quality educational modules. The emphasis in education is on the individual environment and the option of building individualized educational courses, rather than worrying about preserving copyrights to original educational courses.

The phenomenon of mass free access to resources, which the majority of corporations call "piracy," is a clear indication of the emergence of new

*Table 1. Introduction of open software in EU countries*

Country	Developer activity	Implementation targets	Government policy	Policy features
France	High	Ministries, public administration, national education	Targeted	Implementation at ever-greater pace, targeted policy steps
Germany	High	Parliament, public administration, police	Targeted	Implementation at ever-greater pace, targeted policy steps
Spain	Medium	Ministries, public administration	Beginning of implementation	Implementation moving ahead, policy development
The UK	Medium	Social security system	Growing	Beginning of implementation, implementation moving ahead, targeted policy steps
Austria	Low	Not identified	Not clearly identified	No clear decisions are envisaged in the near future
Belgium	Low	The Army, public administration	Targeted (since 2004)	Implementation moving ahead, targeted policy

Source: International Institute of Infonomics, Maastricht University, the Netherlands

relations instead of, or in addition to, the exchange of money and competition. Today, it is becoming clear that ideas do not belong to anyone: they are the products of collective effort and experience. Individuals may own a particular combination of thoughts or the form of their expression, but not the thoughts themselves.

Ukraine's future depends on a political choice in favor of open forms of intellectual

property: we either develop our own network associations and the necessary skills or we continue to be merely a source of revenues for international corporations. We either take part in international partnerships or we remain the raw material for competing corporations. ■

For more information, contact Volodymyr Nikitin by telephone at (380-44) 484-4400 or via e-mail at [vnikitin@icps.kiev.ua](mailto:vnikitin@icps.kiev.ua).

# News from the People's Voice

**Next week, the "People's Voice" project will publish a newsletter delivering messages from the project's NGO partners about project activities and events in recent months. This issue will include examples of how the idea of environmental protection action was implemented in Chernihiv, a report on discussing ways to involve youth in local government in Komsomolsk, and a report on the "People's Voice" project presentation at the international NGO conference in Belgrade**

The purpose of the "People's Voice" is to support and institute various forms of public involvement in improving the quality of residential services. The project works with NGOs that monitor the provision of services and actively cooperate with local governments in six cities: Alchevsk, Chernihiv, Kolomyia, Komsomolsk, Lutsk, and Makiyivka. The "People's Voice" project was launched in February 2004 and will last for three years.

## NGOs raise environmental awareness

Chernihiv residents participated in the "Week of the Environment" that was held in the EU countries in early June. This week involved a number of steps to increase environmental awareness: promoting the use of bicycles in

urban areas instead of cars; involving the community in painting colored graffiti on the grey walls of the city park; exhibiting the works by master artisans commercially; collectively cleaning the city's green areas under the slogan "Seven minutes for Nature." Organizers say that that is the time necessary to fill a small plastic bag with garbage. The action was organized by the Alakhar Center with funding from international donors like the UNDP and the Eurasia Foundation, business partners, and donations from Chernihiv residents.

## A European government is possible in Ukraine

In late May, participants in the "People's Voice" project took part in an international

conference to exchange experience among participants of the Central and Eastern European Citizens Network (CEEEN). Komsomolsk Deputy Major for Humanitarian Issues Liudmyla Byndych spoke about cooperation between local government and NGOs in Komsomolsk. The principles of cooperation with the community were written into the Town's Charter adopted in 1998. In 2000, all residents of the city had an opportunity to participate in discussing a strategic plan for the town's development. The local budget sponsored the development of a handbook on local government in Komsomolsk. The Executive Committee of the City Council is now preparing for certification according to ISO 9001:2000 quality standards. ■

The "People's Voice" project is being carried out with funding from the World Bank and CIDA. All project materials can be found online at <http://www.pvp.org.ua/eng>. To receive regular updates on project activities, contact Maria Kryvoruchko by telephone at (380-44) 484-4408 or via e-mail at [mkryvoruchko@icps.kiev.ua](mailto:mkryvoruchko@icps.kiev.ua).

**icps newsletter** is a weekly publication of the International Centre for Policy Studies, delivered by electronic mail.

To be included in the distribution list, contact the ICPS publications department at [marketing@icps.kiev.ua](mailto:marketing@icps.kiev.ua) or call (380-44) 484-4400.

**icps newsletter** editor Yevhen Shulha ([shulha@icps.kiev.ua](mailto:shulha@icps.kiev.ua)). Phone: (380-44) 484-4400.

English text editor L.A. Wolanskyj. Articles may be reprinted with ICPS consent. **icps newsletter** on the web: <http://newsletter.icps.kiev.ua>