

*The Standards Edge: The Power of Procurement*  
**GOVERNMENT PROCUREMENT AND  
THE CASE FOR RECOGNIZING “CIVIL  
ICT STANDARDS”**

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# CIVIL RIGHTS AND TECHNOLOGY

- Technology can extend civil rights
  - The printing press (free speech)
  - Modern transportation (freedom of association)
  - More rapid tabulation of voting
- ...or restrict them
  - State-controlled media
  - Electronic eavesdropping
  - Web site blocking

# THE IMPACT OF THE INTERNET

- With the advent of the Internet:
  - Freedom of speech is increasingly exercised on line
  - As is freedom of association
  - Interaction with government is increasingly via Web portals
  - Documents increasingly exist solely in digitized form
- *Economic forces will continue to accelerate this process*

# GOVERNMENT PROCUREMENT AND CIVIL RIGHTS

- What is the impact of this transition?
  - If your government does not support the operating system and software you own...
  - If you cannot afford a computer at all...
  - If your government's Web site does not support accessibility standards...
- Then you may not be able to fully exercise your civil rights
- The same applies to your child's school, and to her ability to get an education

# THE DIGITIZATION OF CIVIL RIGHTS

- In short:
  - The decisions that your government makes regarding information and communications technology (ICT) will determine whether you can exercise your traditional civil rights
  - Unless your government makes the proper decisions, the rights that people have fought and died to secure may be lost through simple carelessness
- *Governments need to recognize the existence, and also protect, “Civil ICT Rights”*

# WHAT CAN GOVERNMENTS DO?

*This is where standards enter the picture, because standards are where policy and technology touch at the most intimate level.*

*We may properly refer to such specifications as “Civil ICT Standards”*

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# WHAT ARE SOME EXAMPLES?

- Open document formats
  - Can I exchange data with my government? Will government records remain accessible in the future?
- Inter-agency interoperability
  - Can I enter data once at a government site and access it anywhere and over time?
- Privacy and security
  - Are my health records available and secure?
- Accessibility
  - Can I access a government Web site at all?

# WHAT ARE THE SPECIAL CONCERNS FOR CIVIL ICT STANDARDS?

- Will they be maintained over time?
- Can any affected party participate in their development?
- Is the process whereby they are developed transparent?
- Will they facilitate competition, to ensure continuing innovation and price competition?
- Can they be implemented in free and open source software (FOSS) as well as in proprietary products?

# IS THIS A PROPER AREA FOR GOVERNMENTS TO ACT?

*Much as a constitution or bill of rights establishes and balances the basic rights of an individual in civil society, ICT standards codify the points where proprietary technologies touch each other, and where the passage of information is negotiated*

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# THREE CHOICES

- How can governments protect Civil ICT Rights?
  - Require their use throughout society via regulation (too heavy-handed and restrictive?)
  - Provide incentives through government procurement (sufficient to do the job?)
  - Allow the marketplace to address these issues (would competitors do this on their own?)
- *Which is the right approach?*

# A THREE-PART PROPOSAL

- Recognize Civil ICT Rights and Standards
  - Define and identify which standards are Civil ICT Standards
- Require their use in all government procurement (and recognize free and open source software as well)
  - This will provide a sufficiently large market to ensure the development and implementation of Civil ICT Standards without impeding the rapid development of technology
- Call for a new body to certify both SSOs and standards

# A NEW GLOBAL STANDARDS BODY

- ISO/IEC JTC1 and its rules were developed for a different purpose (to ensure international consensus)
- This process works well for that purpose, and the need for such a process continues
- A new global body focused on process and societal concerns would be supplemental to, and not competitive with, the traditional standards bodies

# WHAT WOULD SUCH A BODY DO?

- Create a consensus standard for “openness” for purposes of government procurement
- Rate SSOs and standards for openness
- Recognize whether a given standard can be implemented in FOSS
- Provide objective ratings to facilitate the implementation of the EIF in the EU
- Provide certainty to vendors in meeting EIF requirements
- Provide market incentives to SSOs to improve process and intellectual property rights policies
- Relieve the pressure on ISO/IEC to accommodate the special needs of the ICT industry

# FOR A MORE FULL DISCUSSION

*A Proposal to Recognize the Special Treatment of “Civil  
ICT Standards,” Andrew Updegrave, Standards  
Today, Vol. VII, No. 2 (February-March 2008) at  
<http://www.consortiuminfo.org/bulletins/feb08.php>*

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