

Innovationsverbund
Öffentliche Gesundheit

#WIRVSVIRUS

Björn Steiger Stiftung
WIR HELFEN LEBEN RETTEN

GEFÖRDERT VOM
Bundesministerium
für Bildung
und Forschung

rfc: public benefit stewardship

How to steward digital commons?

21.04.2026 - OCX 2026

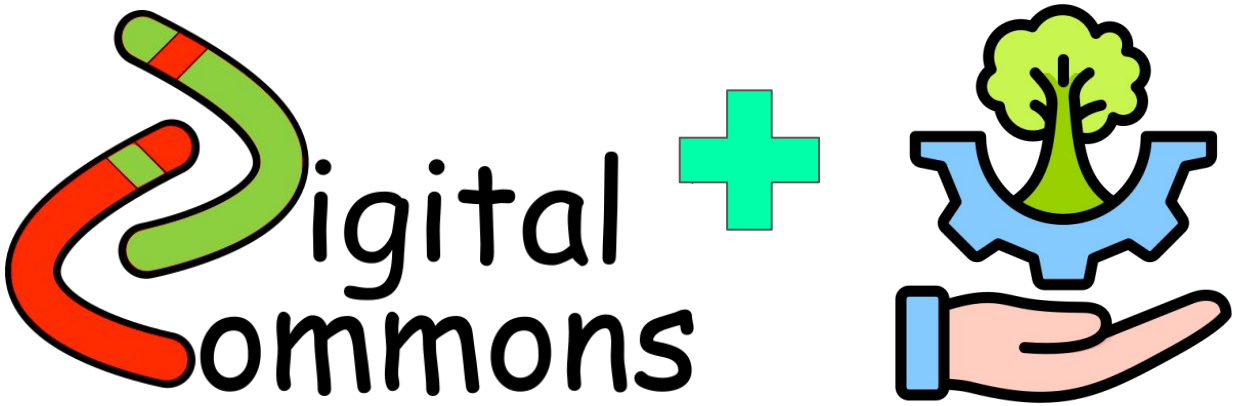
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Open Question



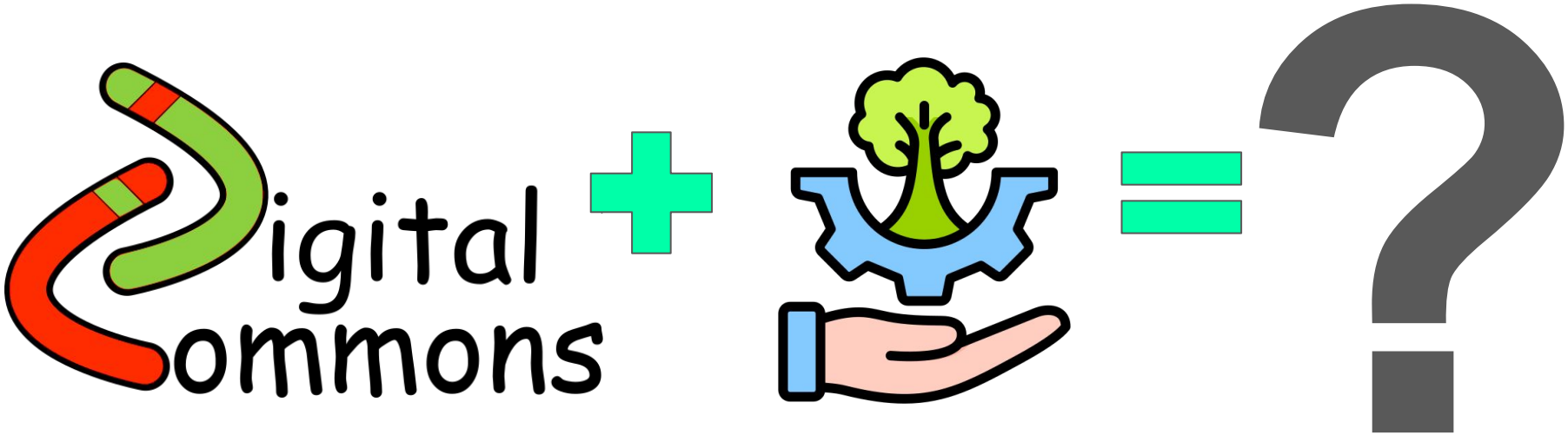
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Open Question



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Agenda

- rfc: public benefit stewardship of digital commons?
- Open questions?
- Answers: the CRA and DC-EDIC?

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Wtf is … public benefit stewardship of digital commons?



Open-Source Software

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Open-Source Software



Open Data

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Digital Commons



Open-Source Software



Open Data



Open Content Collections/
Open Educational Ressources

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Reliable long term maintenance

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Reliable long term maintenance

Verification of data

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Trustable AI models, e.g. by academia

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Open-Source Software



Open Data



Open Content Collections/
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Digital services without tracking &
Public algorithms for content delivery

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Open questions?



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Answers: the CRA defines economic operators (12):

Manufacturers (13)

Open Source Software Stewards (14)

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Answers: the CRA defines economic operators (12):

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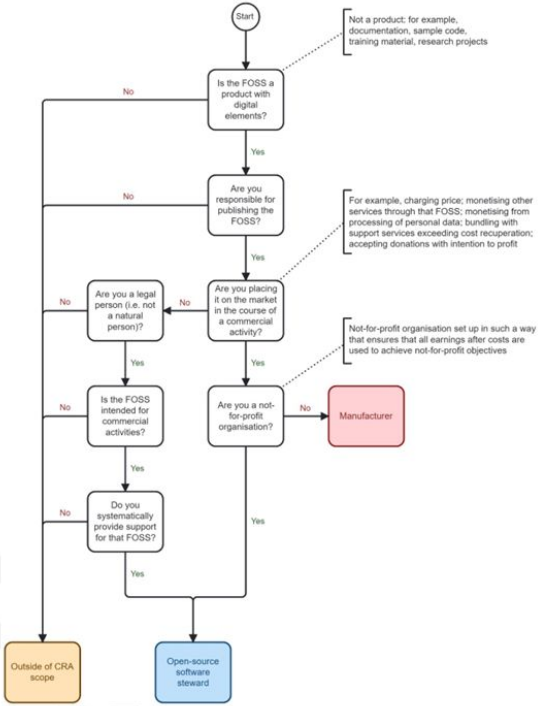


Figure 1: Stylised flowchart for CRA coverage of free and open-source software

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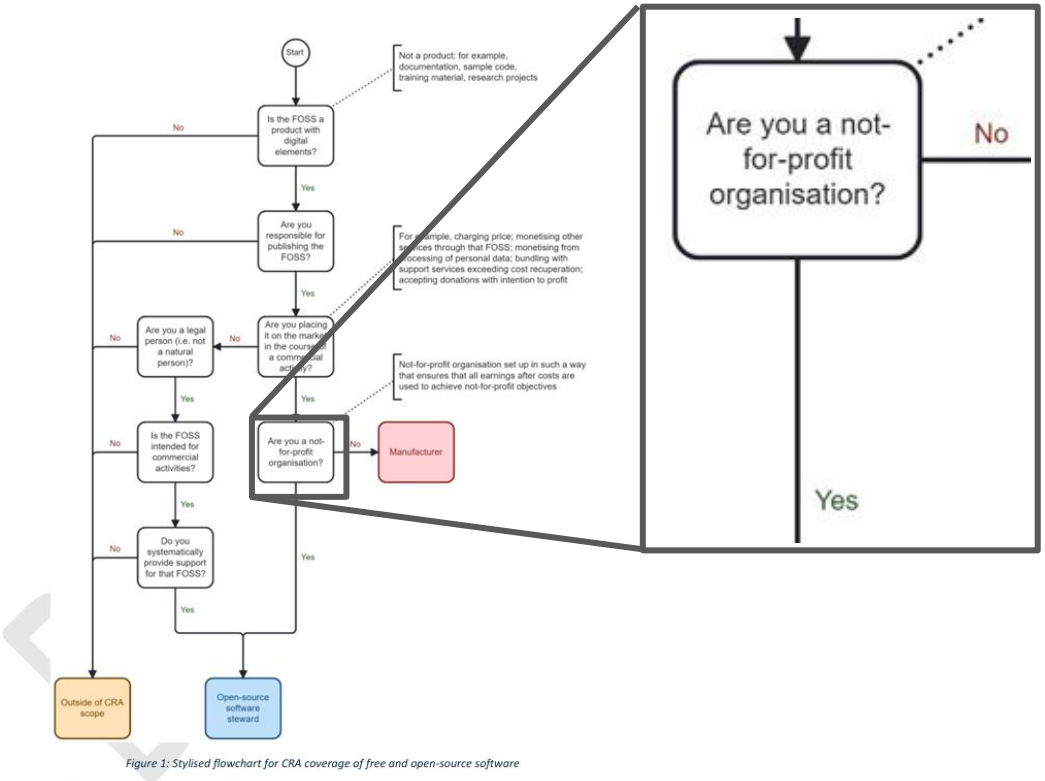


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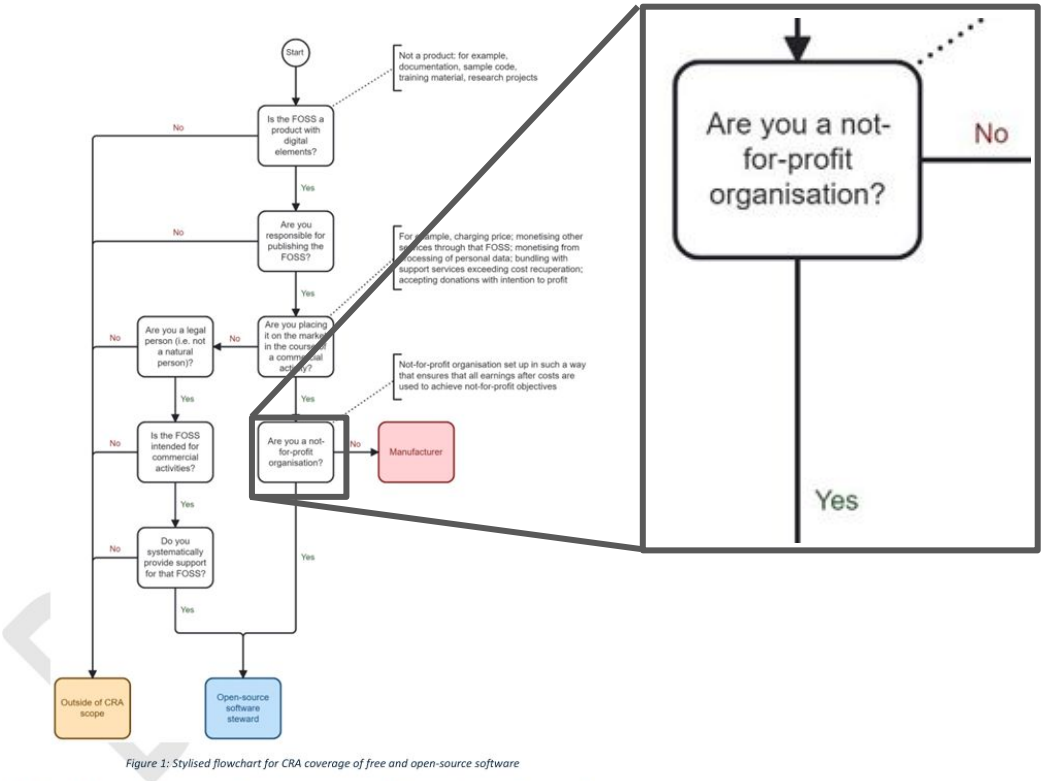


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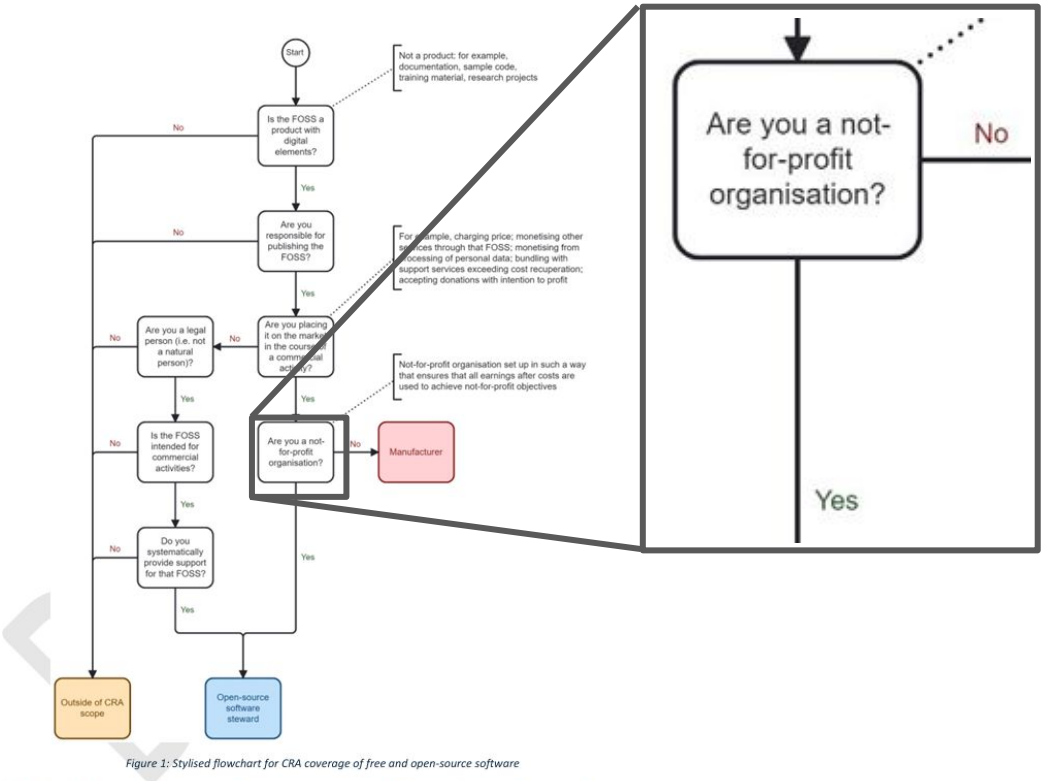


Figure 1: Stylised flowchart for CRA coverage of free and open-source software

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- Reasonable living expenses

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Digression: not-for-profit vs. public benefit



STUDY
Requested by the JURI Committee

European Parliament

Public benefit status and CMD systems for associations and non-profit organizations in the EU



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1. PUBLIC BENEFIT STATUS AND PUBLIC BENEFIT ORGANIZATIONS: NOTION AND BOUNDARIES

KEY FINDINGS

Public benefit organizations constitute a particular category of private organizations identified on the basis of certain legal requirements necessary to obtain and maintain the public benefit status and their registration on ad hoc registers.

Notwithstanding the variety of legal denominations and legislative models, the public benefit status exists in all the EU national jurisdictions and is provided in laws whose main aim is to support organizations that perform public benefit or general interest activities and/or pursue public benefit or social objectives.

Public benefit organizations must be distinct from other categories of organizations, such as non-profit organizations and social economy organizations. In some countries, third sector organizations represent the equivalent of public benefit organizations and may include social enterprises.

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Digression: not-for-profit vs. public benefit





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not-for-profit

public - benefit

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not-for-profit

Accountable to:

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- Members

public - benefit

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Digression: not-for-profit vs. public benefit



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Public benefit organizations are accountable to parties who do not take part in their governance.

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Answers: the CRA



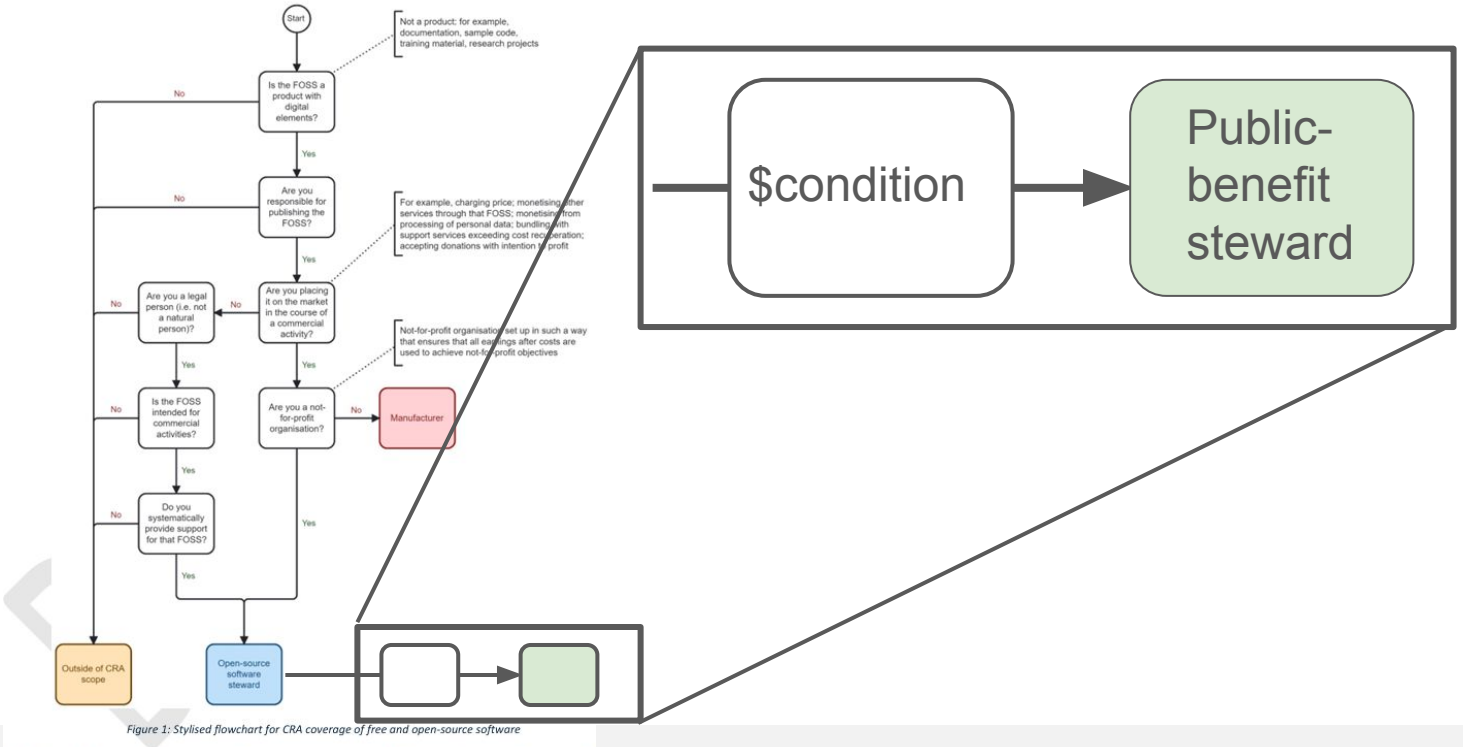


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Open questions?



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Answers: the CRA and DC-EDIC?



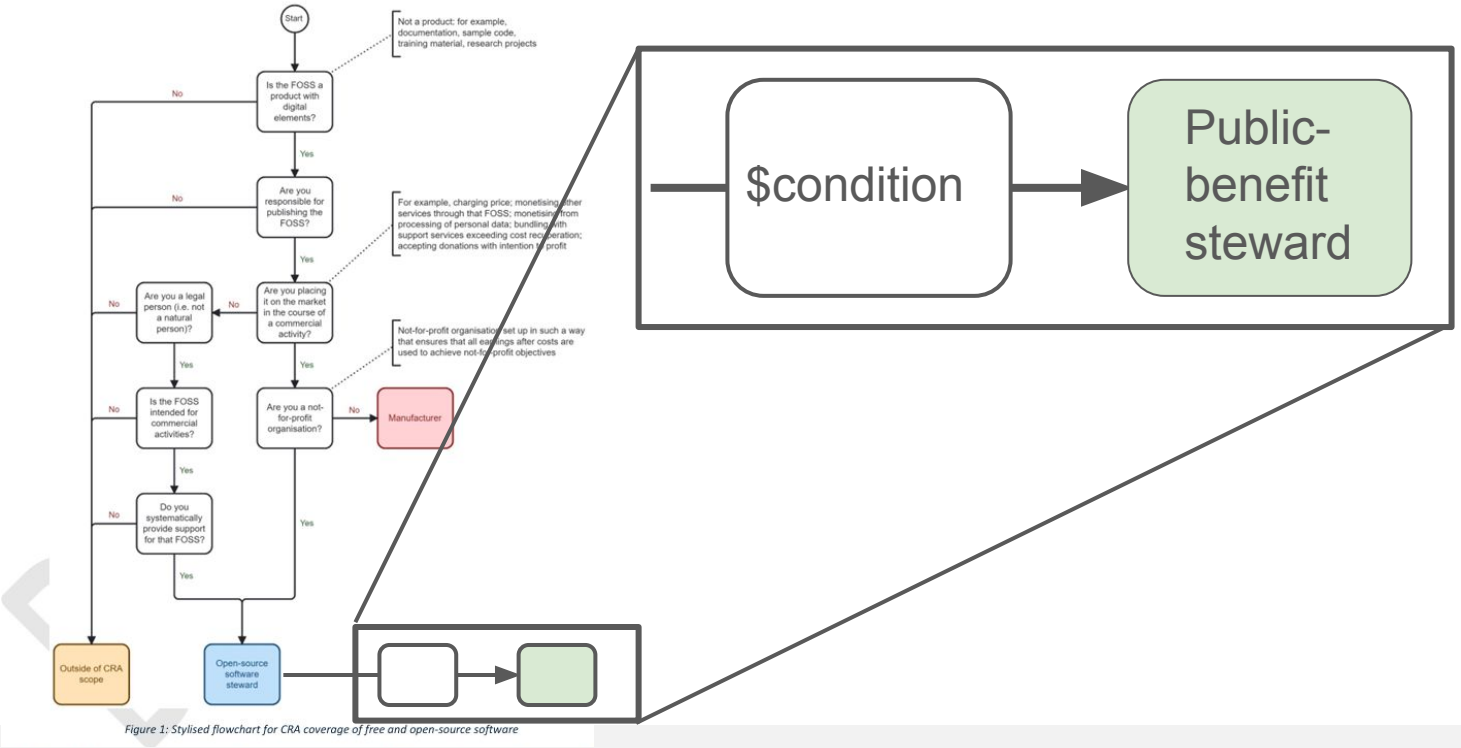


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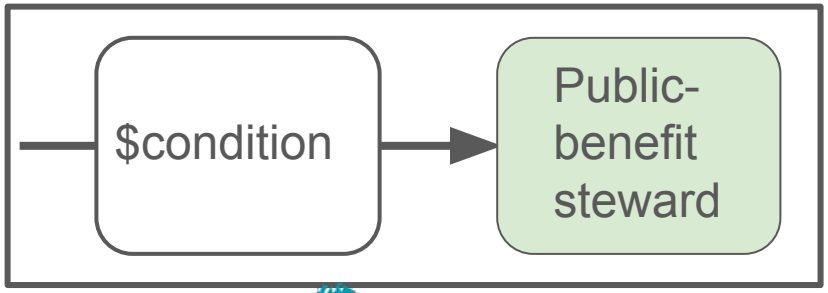
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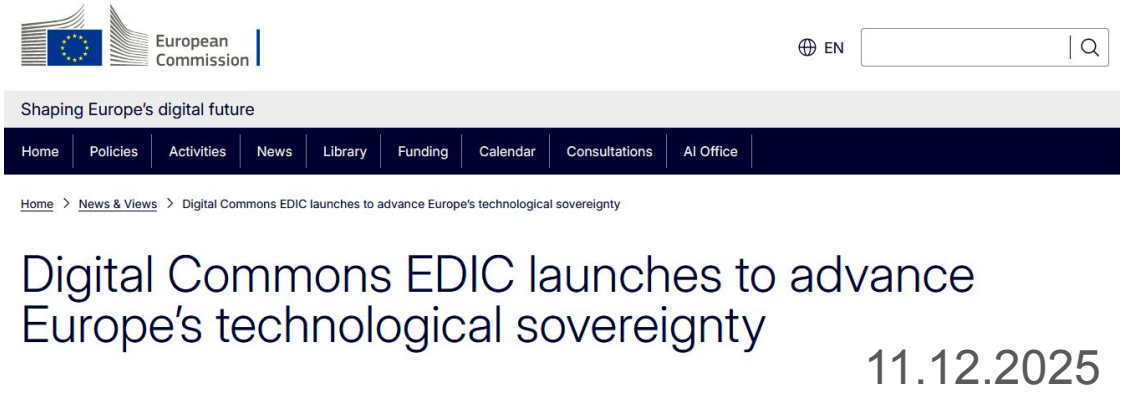


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Public benefit stewardship & the European Open Digital Ecosystem?





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Public benefit stewardship & the European Open Digital Ecosystem?

European Commission

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Shaping Europe's digital future

Home | Policies | Activities | News | Library | Funding | Calendar | Consultations | AI Office

Home > News & Views > Digital Commons EDIC launches to advance Europe's technological sovereignty

Digital Commons EDIC launches to advance Europe's technological sovereignty

11.12.2025



The DC EDIC brings together France, Germany, the Netherlands and Italy, and it is now supported by a growing group of candidate Members (Luxembourg, Slovenia) and observers (Poland and Belgium). It creates for the first time a common European structure dedicated to digital commons. It brings together public administrations, Open Source communities and companies to pool resources, support strategic open components and accelerate the transition from isolated pilots to shared, scalable digital infrastructure.

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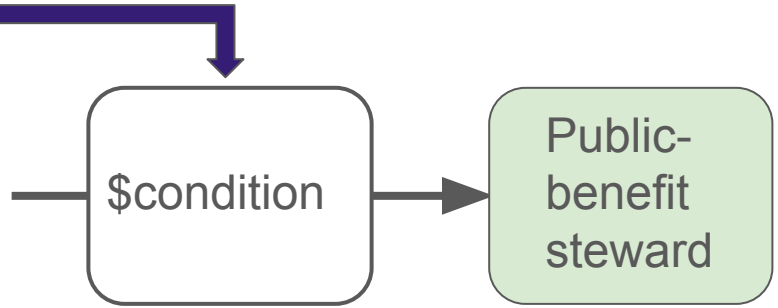




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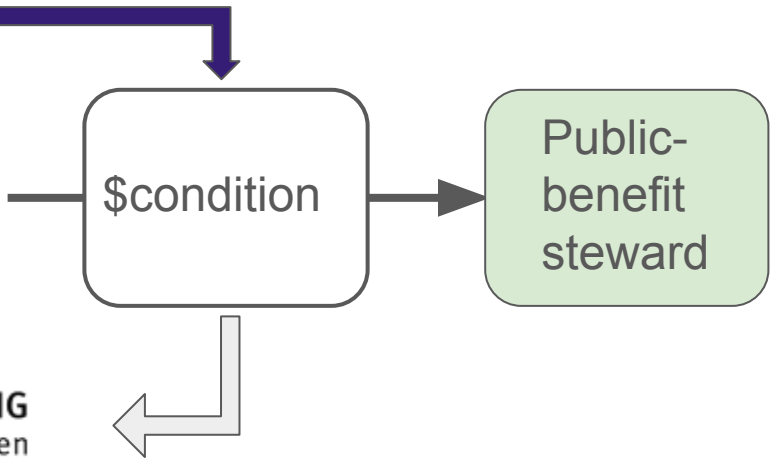




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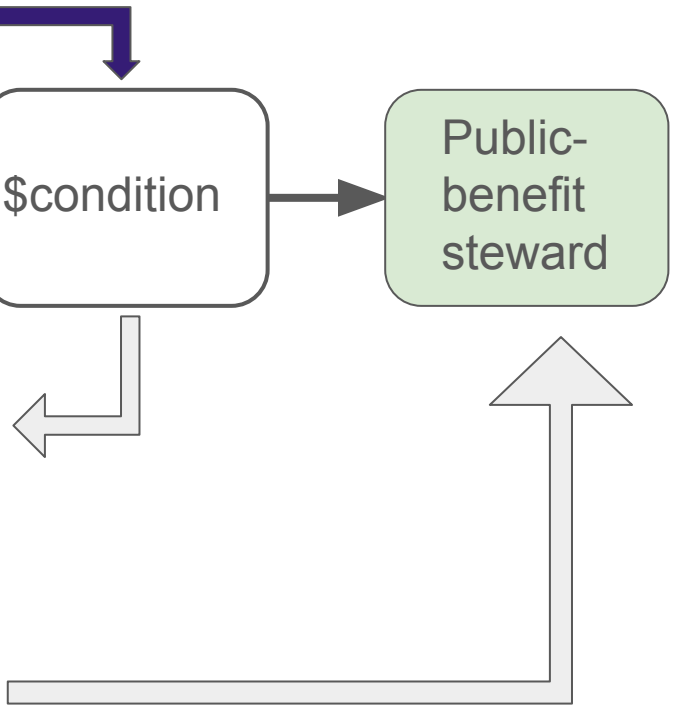




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Summary:

- FOSS Communities
  - Legal recognition of the work
  - No more “hacks” for tax status
  - Donations as an income stream (FSCT)

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    - Let's encrypt
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    - scheduling
  - Social-media that neither risks democracy nor mental health
  - Reliable sources to combat disinformation
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  - Reliable sources to combat disinformation
  - …
- Public entities
  - FOSS Foundations to maintain the FOSS they need.

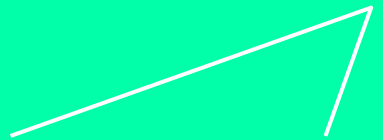
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Call to action: Join the fray!

- There is a git repository for discussions: https://codeberg.org/dcsi
- There is an account on the fediverse to follow: https://mastodon.social/@dcsi

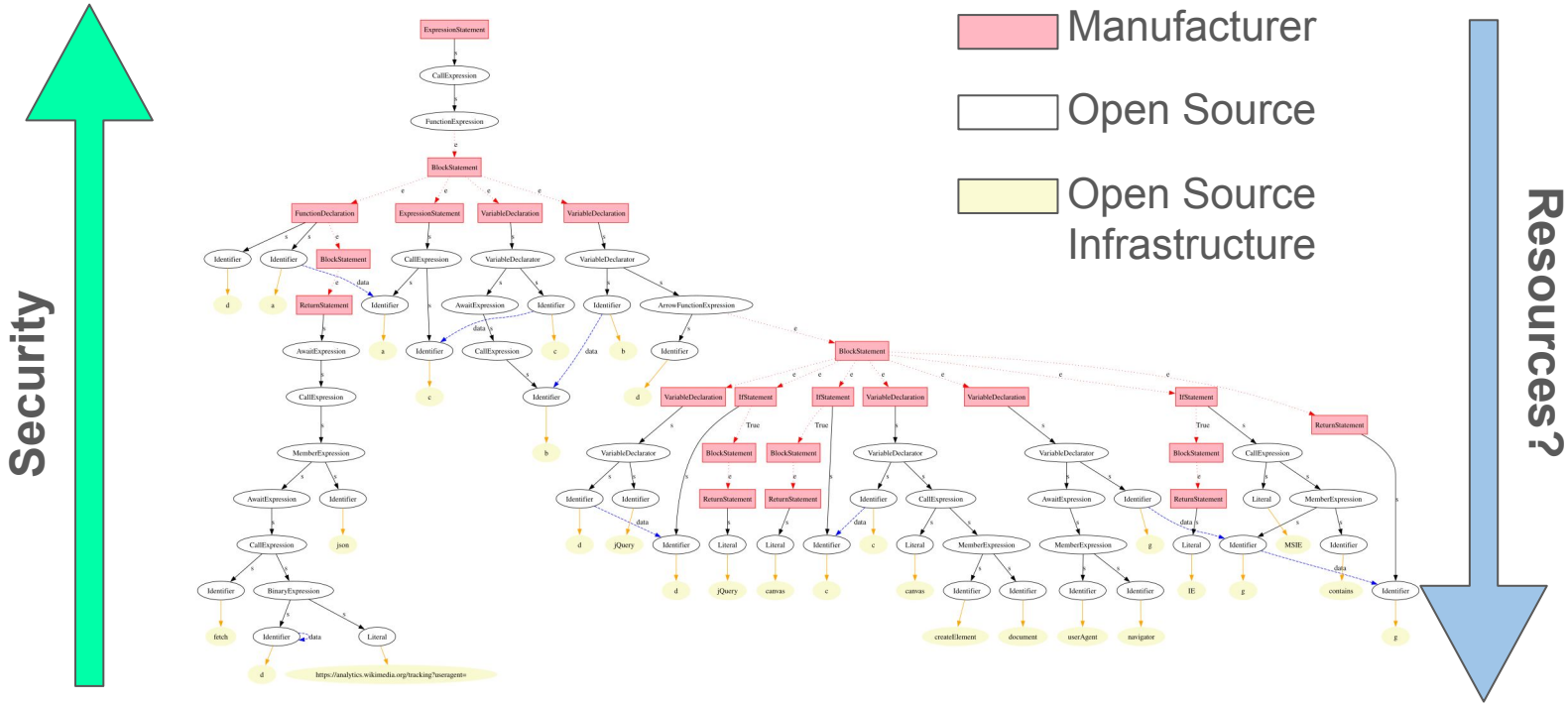
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Looking forward to the discussion - What is missing?



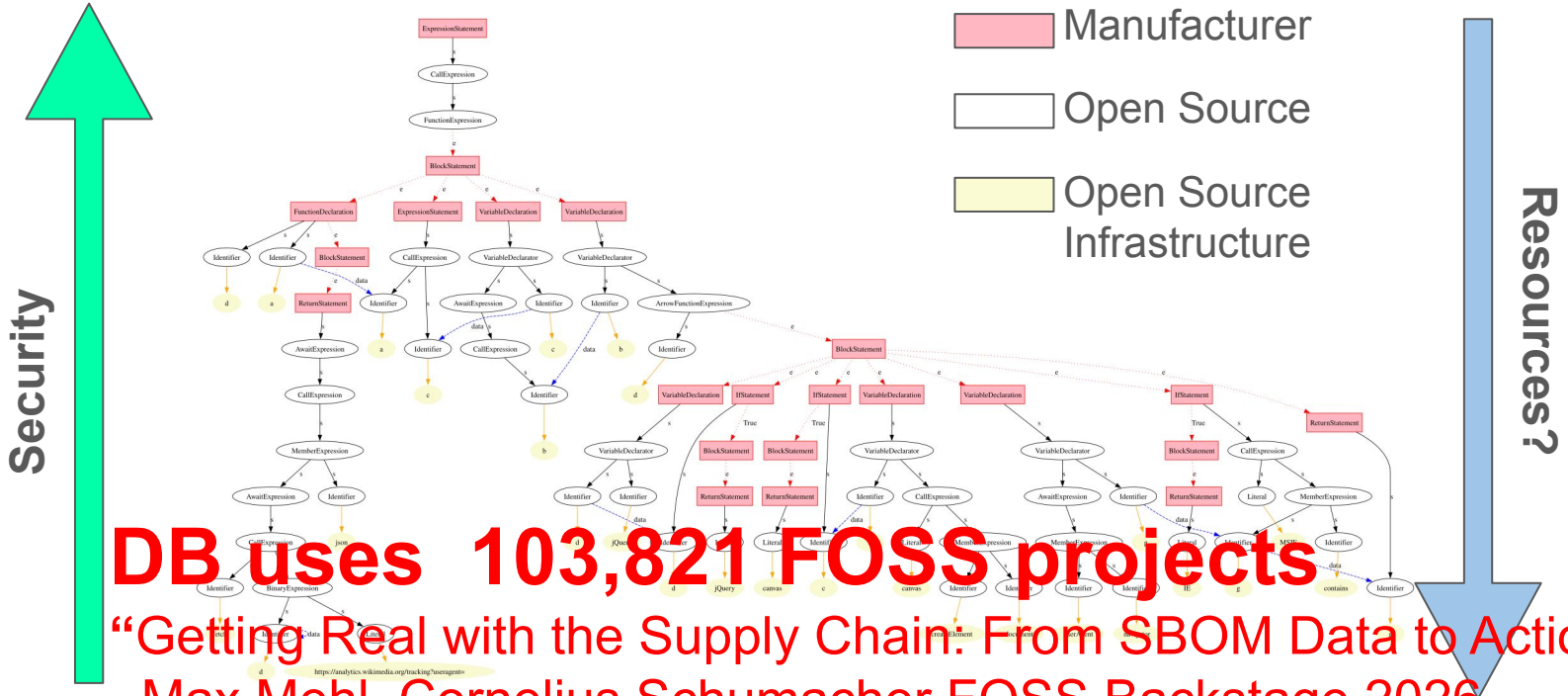
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The CRA - a program dependency graph



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The CRA - a program dependency graph

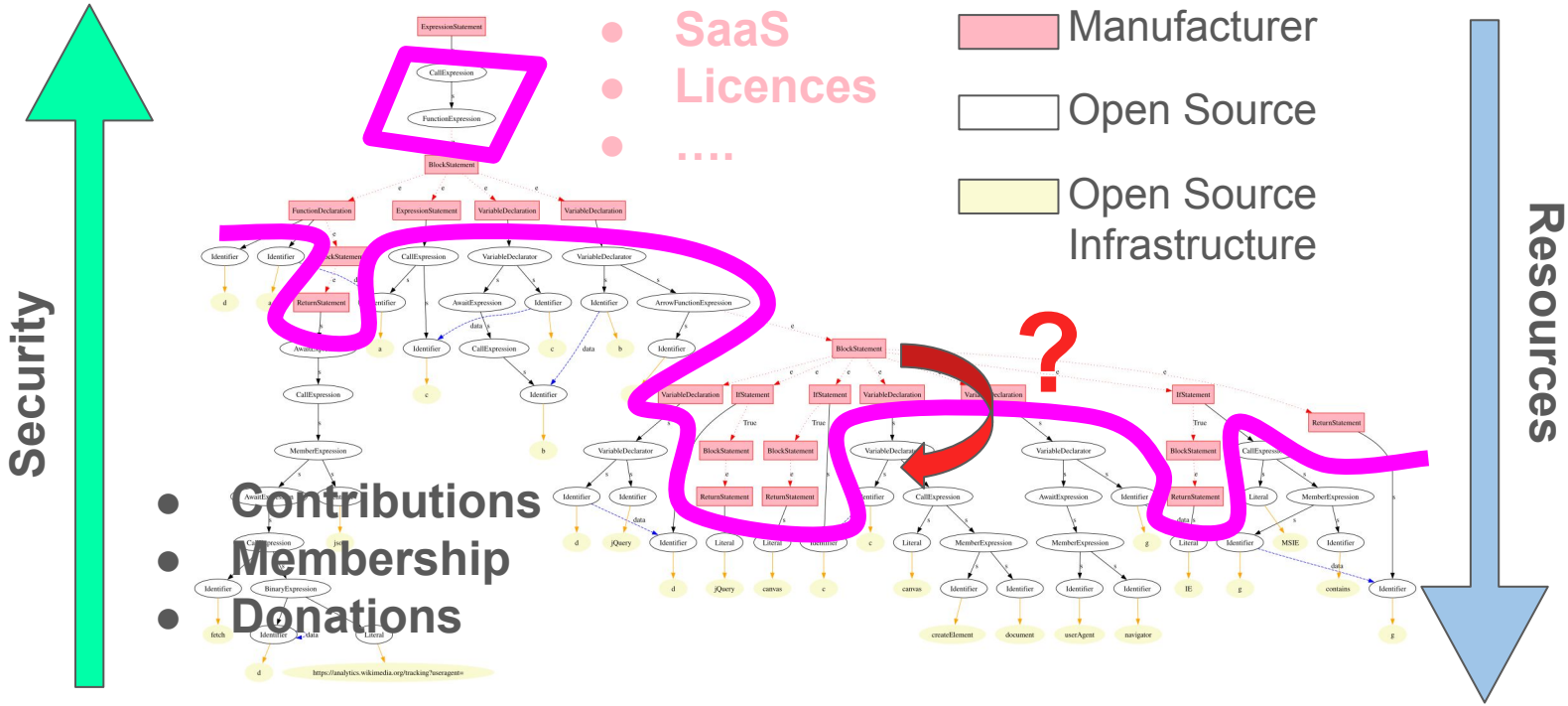


DB uses 103,821 FOSS projects

"Getting Real with the Supply Chain: From SBOM Data to Action"
- Max Mehl, Cornelius Schumacher FOSS Backstage 2026

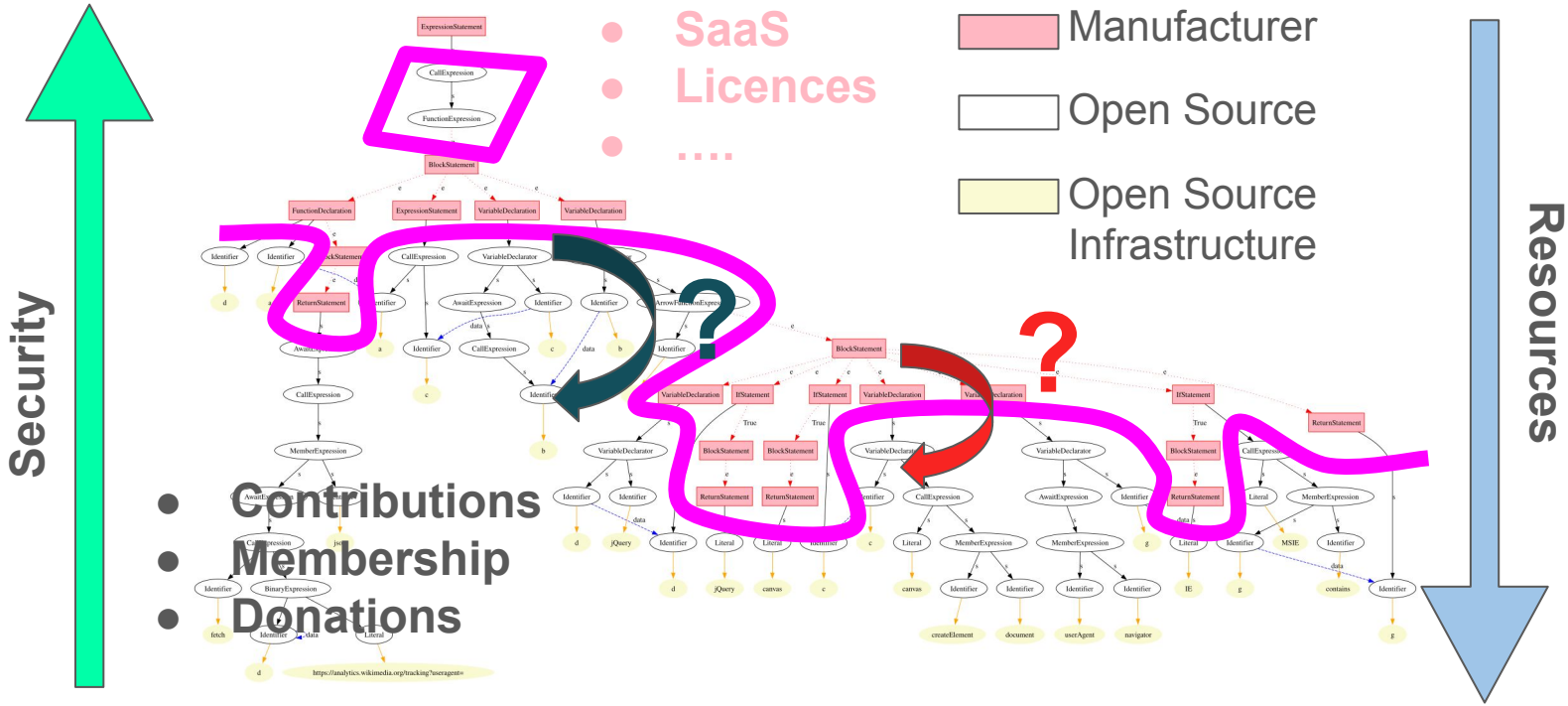
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The CRA - a tale of two ecosystems



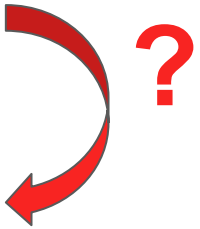
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The CRA - a tale of two ecosystems



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The CRA - Resource Distribution





- Best Practice: Contributions Upstream stuff
  - SME Have your engineers commit
  - Cooperate: Have an OSPO
- Challenges for Contributions/memberships - it does not scale
  - I bet Open Source Companies do not Upstream to EVERY project they use
  - Open Source projects are picky whom they wanna work with
  - There are non-software companies they still wanna use software
- Legal Accountability for 3rd parties?

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Incentives in the Ecosystem:

1. Manufacturers:
   "*... If the manufacturer integrates the FOSS into its product, it needs to exercise due diligence in accordance with Article 13(5). ...*"
   a. Penalty: 15 Mio. € or 2,5 % total worldwide annual turnover (CRA)
   b. Liability: Product Liability directive

2. FOSS Projects:
   "*... 'accepting donations without the intention of making a profit should not be considered to be a commercial activity'. ...*"
   a. Get donations with little overhead
   b. Transparency in the spirit of open source

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How to create the ecosystem

- Scalable
  - Automatable
  - Self-service
  - Fair
- Efficient
  - Little overhead
- Effective
  - Reach the ppl who do the work

- Scalable
  - Standards (SCITT@IETF)
  - Git hooks
  - ???
- Efficient
  - A standard for token pricing?
- Effective
  - ? Donations by use
  - ? continuable
  - Fitting incentives for everyone

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Win-Win? Gains for the Ecosystem:

1. Manufacturers:
    a. Problem becomes solvable with throwing money at the problem (non-software orgs)
    b. Pay-per-use, pay-per-due-diligence-coverage
2. FOSS Projects:
    a. Unilateral contracts: no scaling overhead
    b. Transparency in the spirit of open source

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