40 new ways the CRA can accidentally harm open source

Tobie Langel, UnlockOpen

“Open Source In The European Legislative Landscape” devroom
FOSDEM 2024
The CRA has landed.
It could have been catastrophic. It isn’t.

👩💻 Open source community rose to the occasion
cdnjs Policies paid attention & considered community input
❌ Avoided harming open source
🇪🇺 Avoided harming EU’s ability to leverage open source
We now have *(a lot more)* clarity*

✅ Responsibility falls where it rightfully belongs: with the entities monetizing the software (*manufacturers*)

👉 Interesting new role: *open source stewards*

(smart alignment with EU ambitions to leverage open source to regain tech sovereignty)
Industry & ecosystem-wide impact

Companies will be more cautious
→ projects move to foundations (the *stewards*)

Conformance requirements move up dependency trees
→ ecosystem-wide impact

💰 Who’s going to bare the cost of this overhead?
40+ harmonized standards

2 options to meet the requirements of the CRA:

 kep) Demonstrate conformity (burden of proof is on you)
☑️ **Follow a set of standards** *(provides presumption of conformity)*

👉 Standards become *de facto* way the CRA impacts open source
40+ way things can go wrong

- 😥 40+ standards = 40+ ways things can go wrong
- 📊 Notoriously opaque standardization processes
- 💰 Open source adoption requires open & royalty free standards
- 🎭 Huge diversity of open source stakeholders (*stewards, hobbyist, COSS, EU SME ecosystem, etc.*)
- 👶 Interop with other jurisdictions
Thank you!

Tobie Langel, UnlockOpen

“Open Source In The European Legislative Landscape” devroom
FOSDEM 2024