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SENATE

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INTRODUCED BY HONORABLE MAR ROXAS

A RESOLUTION
URGING THE COMMITTEE ON TRADE AND COMMERCE
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,
INTO THE VIABILITY OF USING OPEN SOURCE SOFTWARE.

WHEREAS, the Constitution, Article II, Section 24 declares that "[t]he State recognizes the vital role of communication and information in nation-building." Section 19 further declares that "[t]he State shall develop a self-reliant and independent national economy effectively controlled by Filipinos."

WHEREAS, among the policies embodied in the Electronic Commerce Act (Republic Act No. 8792) are the following: "the need to create an information-friendly environment which supports and ensures the availability, diversity and affordability of [information and communications technology] (ICT) products and services" and "the need to develop, with appropriate training programs and institutional policy changes, human resources for the information age, a labor force skilled in the use of ICT and a population capable of operating and utilizing electronic appliances and computers."

WHEREAS, majority of government offices use proprietary software rather than open source software, because most of employees are trained in using proprietary software. This practice does not promote technological neutrality and diversity at all. Proprietary software refers to computer programs which modification, use or distribution is prohibited or require express permission from the proprietor. On the other hand, open source software refers to computer programs in which the source code is available to the general public for use and/or modification from the original source code. Open source comes from a collaborative effort among and between programmers who improve upon the source code and share the corresponding changes. Open source sprouted in the technological community as a response to proprietary software licensed by software developing companies.

WHEREAS, the use of open source offers the potential benefits of cost-effectiveness while strengthening the Philippines' own software development industry and minimizing the importation of software commercially sourced from abroad. The benefits of open source software are numerous. There is a zero marginal cost of scale because open source does not require additional licenses for additional installations. Moreover, open source code is subject to peer review and can be analyzed by even thousands of open source programmers. Bugs and other problems can be quickly discovered and patched. Thus, open source can be even trustworthier than proprietary software. Finally, only our country's human resources limit the development of open source software. The talent for information technology of the Filipino youth is well known; open source development offers a venue for harnessing such talent.

WHEREAS, problems with the implementation of an open source policy have also been reported. A project regarding the development of open source software was delayed just because the

developer closed shop. The potential user had to wait for the developer to reorganize its company in order to continue with the project. Another developer lacked the foresight of providing software support after it gave away its open source software for free to various local government units. Security wise, as the code is open, if anyone will gain access to it. A hacker can analyze the codes and find where the files are located, loopholes, and even design a bug if it gets installed in the system.
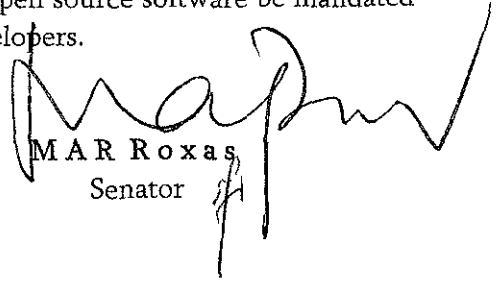
WHEREAS, despite these foreseen risks, other countries such as Peru, Finland, Germany, France, the United Kingdom, New Zealand, China, Taiwan, Korea, and Malaysia have expressed support for the use of open source software in their respective governments.

WHEREAS, currently, only a few Philippine government institutions use open source software. The Biotechnology-Intellectual Property Rights Training Center at the Philippine Rice Institute reported savings of Four Hundred Thousand Pesos (P400,000) in software costs by using open source applications. Units at the University of the Philippines (UP), such as the library of the College of Engineering, the Department of Computer Science, and the UP Computer Center, use open source software not only because of the lower cost compared to using proprietary software, but also because open source reduces instances of piracy and is less prone to virus attacks. Bayanihan Linux, an open source program developed by the Department of Science and Technology's (DOST) Advanced Science and Technology Institute (ASTI), has a target user base in state universities and local governments.

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate urge the Committee on Trade and Commerce to conduct an inquiry, in aid of legislation, into the viability of using open source software.

BE IT FURTHER RESOLVED THAT, the development of open source software be a mandated part of the computer science curriculum.

BE IT FINALLY RESOLVED THAT, the development of open source software be mandated part of the training programs of in-house government software developers.

MAR Roxas
Senator