



27 May  
2025

interoperable  
europe

# Understanding the European Public Licence (EURL)



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**Business Manager:**  
Bernard CLAES

# Agenda

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➤ **Introduction: Why Open-Source licensing matters**

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➤ The Interoperable Europe Act and the EUPL

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➤ Applications of the EUPL and challenges

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➤ EUPL & Interoperability / Licensing Assistant

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➤ Closing Remarks - Q&A

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# Introduction

## Why Open-Source licensing matters

- ◇ 01 | Transparency & trust via source code access
- ◇ 02 | Collaboration & freedom to adapt and reuse
- ◇ 03 | Supports EU digital policies (interoperability & innovation)
- ◇ 04 | Enables modular, reusable development (toolboxes, libraries)
- ◇ 05 | Fuels AI development through vast open code bases
- ◇ 06 | Aligns with evolving EU legal frameworks and digital sovereignty



*The objective of today's session is to Understand the **EUPL** & its role in **digital sovereignty & interoperability**.*

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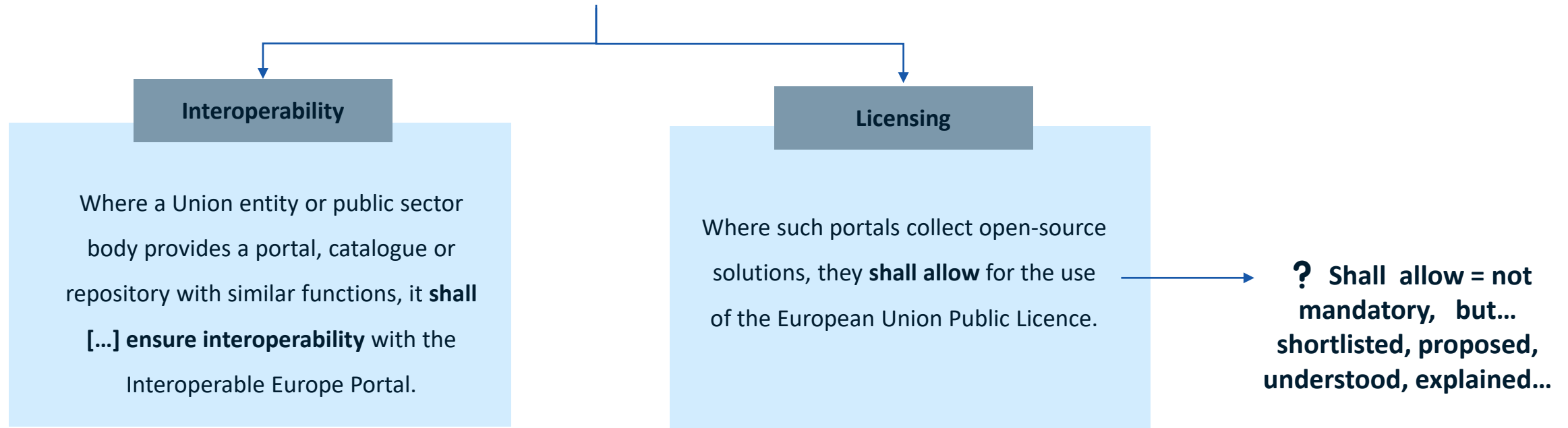
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## The link between the Interoperable Europe Act and the EUPL

### Article 8 of the Interoperable Europe Act



#### The EUPL:

- Broad, general purpose, reasonably (“weak”) copyleft open licence;
- For use across the world, by anyone (not EU-only, or Public-sector-only).

# The Interoperable Europe Act and the EUPL

## Understanding the EUPL - Principles

1.

**Broad, multilingual**, but clear/simple

Covers the **distribution** of “**the WORK**” and its copyrighted **DERIVATIVES**.



Source code



Documentation



Etc.

2.

**Distribution** includes “Communication to the public” and **functional interaction (SaaS)**.



Remote



On site

3.

Granting all “**Open Source**” rights, (use, modify, re-distribute / sublicense for any purpose).

+

- Persistent publication of the source code;
- Needed patents use;
- Contributor Declaration of Origin (traceability of changes).



OSI approved



Free Software

## Understanding the EUPL - Principles

4.

***“Reasonably copyleft”*** (= reciprocal and “share alike”)

- Public money should produce public code!
- Gifts should stay open, shared, and not be “stolen”!
- No exclusive appropriation!

5.

***Interoperable*** but ***not viral***

- Because always applied under EU law.
- Linking independent programs escapes copyright.

6.

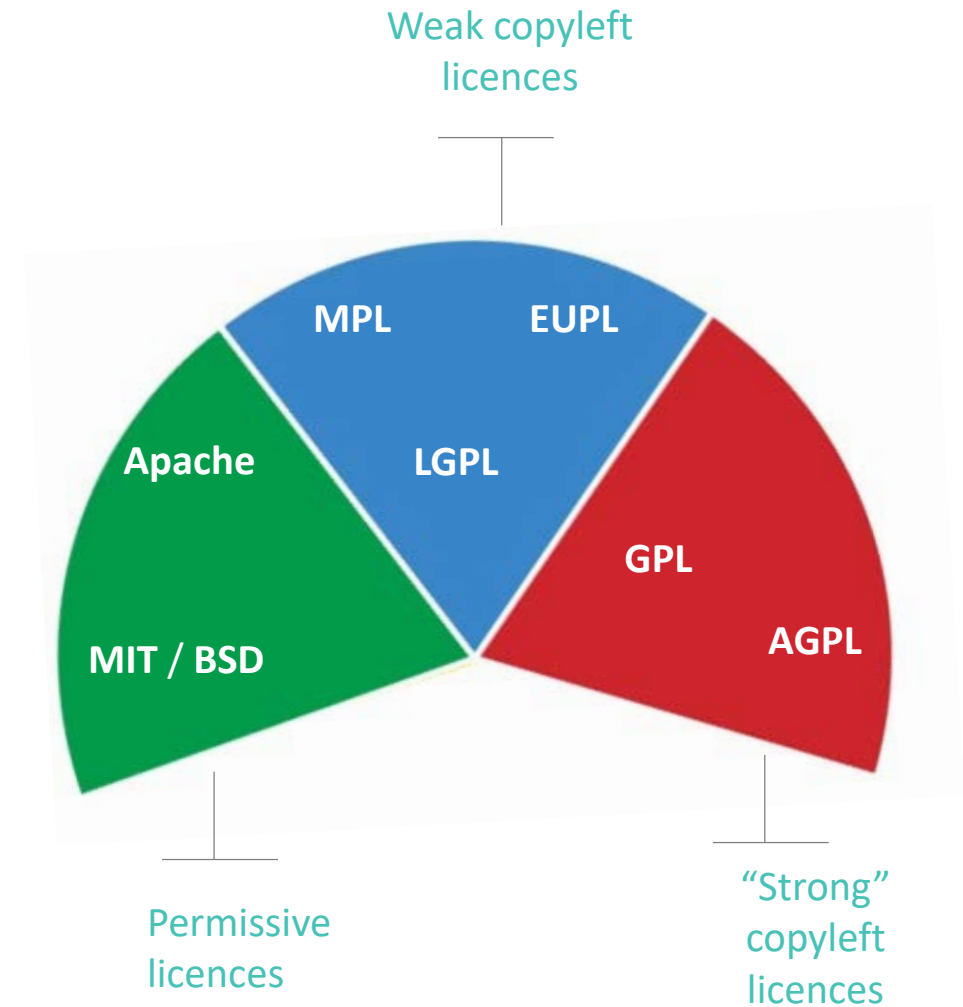
Wide ***Compatibility***

- When combining with other source code (GPLv2, v3, AGPL, MPL, LGPL, OSL etc.).
- Compatibility preserves **reciprocity** and **SaaS coverage**.

7.

***Valid*** under the current EU legal framework.

- Liability disclaimer compatible with product liability laws (CRA and PLD).





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## EUPL is applied in both public and private sector

### *Public Sector*



## EUPL is applied in both public and private sector

### *Science / education*



HUMAN COLOSSUS  
FOUNDATION



**Ukraine**

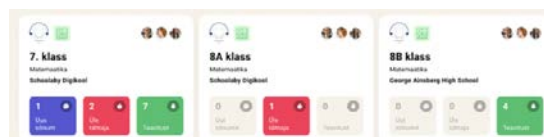


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**SCH●OLABY**



## EUPL is applied in both public and private sector

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### *Commerce / industry security*



***Open Talk***



***WLED***



## Applying the EUPL to your own projects



Check early for any “strong copyleft” dependencies.

- **Linking** is not a real issue according to EU law but **inclusion** of code under GPL/AGPL is!
- Licensing assistant facilitates checking
- Interoperable Europe Portal (legal support) helps



Do you accept “appropriation” of your work?

In such case, a permissive licence could be convenient as well (MIT, Apache)



Apply copyright notices in source and documentation, according to the 2021 **EUPL Guidelines**

© <name>, <date>,  
licensed under the EUPL  
(this will apply the last version)

## Existing challenges



### 1. Idea that the EUPL is made for EU only

“EU” refers to the applicable law.

### 2. Simple permissive licences are most convenient

Who will gain the most advantages from code “Given away”?

### 3. Whatever the licence, any trial is out of scope (long / expensive)

Could the EC Open-Source Strategy include EUPL Licensor support?

### 4. Lack of reciprocity

FSF denies compatibility and refuses reciprocity.

### 5. Fake news: i.e. banning the “viral EUPL”

For the same reason as the AGPL  
(they say).  
= because AGPL is “viral”  
(true reason: SaaS loophole)



**It is not the role of licences to define what “*constitutes a derivative*”.**

- Linking/ copying open-source interfaces for interoperability?
  - Software produced by tool-boxes, with dependencies?
  - With AI, coding is not exclusive to humans anymore.
- AI programs specialise in writing code, using the whole open, available code base.
  - Are generated programs “derivatives” from open-source licensed code (i.e. under copyleft licences)?

Our applicable law (resulting from a 1991 directive) is silent facing today's programming copyright issues.



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# DEMO

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# Closing remarks – Q&A

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- The EUPL is a **long-standing, transparent licence**, not a short-term trend.
- Adopted by the European Commission since 2005, with updates in 2009 and 2017.
- Today:
  - Default licence for EC software (since 2021)
  - Recognised in **all Interoperable European Portals** (since 2024)



The EUPL is **proposed**, not imposed — its use depends on context.  
New versions only when needed, while preserving open-source freedoms.

# Closing remarks – Q&A

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## The places to go:



[EUPL Documentation](#)




[Licensing Assistant](#)



[Online courses](#)



[Discussion area](#)



**Your feedback is valuable to us!** You may now ask questions or provide your input about the EUPL!



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Thank you!



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