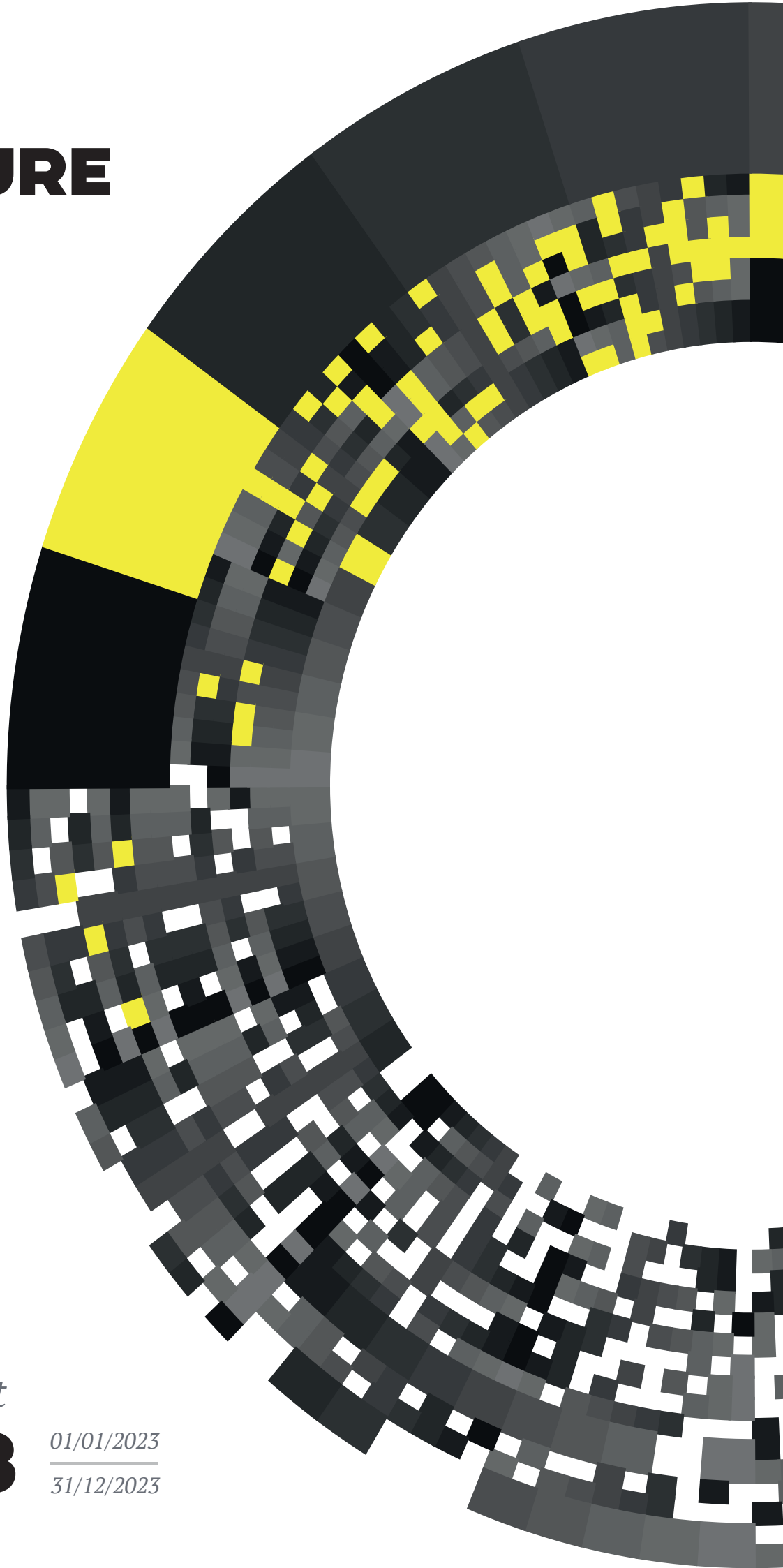


OPEN _FUTURE



annual report
2023

01/01/2023

31/12/2023

1. INTRODUCTION

This annual report covers the third full year of our operations. This year, we benefitted from our established strategy and organisational processes and focused on expanding our work in terms of analytical capacity, engagement and visibility, and public advocacy.

Below, we present a detailed account of our organisational strategy, including our two core objectives and achievements in each area. We want to begin by highlighting several key achievements from the last year:

1. We partnered with Creative Commons to develop [a set of principles on AI, Creators and the Commons](#) – as a result of our collaboration at the Creative Commons Summit and a dedicated pre-summit workshop. This statement is the first expression of shared principles related to generative AI by the open movement.
2. Our "[Shifting Tides](#)" study and report have received significant attention in the open movement. We received feedback from movement leaders that it provides unique insights into the state of the movement and the occurring shifts.
3. Our advocacy has contributed to the growing relevance of Public Digital Infrastructure policies, including establishing a dedicated fund in the European Union, as expressed by [statements from key EU policymakers](#).
4. We have successfully fundraised for the NGI Commons consortium. The consortium is funded by the Horizon Europe program with a grant of €2.770.000, out of which Open Future will receive €450.000 over three years. Being part of this consortium will allow us to continue our efforts to strengthen Public Digital Infrastructure policies in Europe.
5. We established a coalition around [a position on the regulation of open source AI development in the proposed AI Act](#). The approach that we have been advocating for over the year has been included in the final version of the Act.
6. Together with our partners in [COMMUNIA](#) we have contributed to shaping the provisions on copyright in the AI Act to further strengthen the Text and Data Mining exceptions of [the EU copyright directive](#).

2. OUR STRATEGY

Our strategy continues to be based on our original objectives and the guiding principle of leveraging openness to design and build systems that maximise the societal benefits of information resources in the networked information economy. In 2023, we decided to streamline our objectives and focus on two of them:

1. Digital Public Space: to advance the idea that the online environment should entail digital public spaces governed by a different logic than the commercial internet.

2. Future of Open: to develop an updated theory of action for the open movement aimed at leveraging openness to design and build systems that maximise the societal benefits of information resources in the networked information economy.

Streamlining our strategic goals allowed our small team to work more efficiently on achieving our strategy. Some aspects of our Data Commons work were shifted under the Future of Open objective as we started exploring TDM and AI training issues.

For each of the objectives, we have aimed to strengthen the strategic advocacy capacity of the open movement by advancing advocacy, conducting research, narrative building, and developing shared advocacy goals. We also strived to be the voice expressing a public interest position in debates often dominated by commercial interests.

We continue focusing on European policymaking and advocating for a unique approach to digital policies with digital commons at their heart. At the same time, we believe exchanging views with activists, experts, and stakeholders in other regions is crucial. To this end, some of our activities have been conducted with partners in the United States. The Creative Commons Summit allowed us to adopt an even broader, global perspective.

3. IMPACT

In this section, we provide an overview of the impact of the activities we have undertaken last year. The list of activities described is not exhaustive and is meant to highlight the activities we consider to have made the most impact to advance our strategic objectives.

3.1 Future of Open

Open Movement Strategy

Regarding this line of work, we focused on research and sense-making activities to better understand the state of the open movement and the potential for developing shared advocacy positions. We conducted two studies to that end. One of them was an exploratory mapping of the movement based on network analysis methods and Twitter (X) data. The study demonstrated that the open movement is structured as a series of fields focused on different spheres of life and helped us understand how they are connected. The other was a qualitative survey of leaders of the open movement, focused on understanding changing needs, perspectives, and goals. As a result of these efforts, we published two major reports, "[Fields of Open. Mapping the Open Movement](#)" and "[Shifting Tides. The Open Movement at a Turning Point.](#)"

In May 2023, we hosted a small convening of open-movement leaders in Berlin. The event was organised in collaboration with our partners from the Open Knowledge Foundation and Wikimedia Europe. The report "[Problematizing Strategic Tensions in the Digital Commons](#)" is the result of this convening.

We also actively participated in the Creative Commons Summit, which was this year's primary opportunity to meet other stakeholders in the field. We organised and participated in a [range of sessions](#) covering issues related to copyright reform, AI governance, and movement strategy.

AI and the Commons

We established a strong line of work focused on openness and generative AI systems, in which we investigate governance mechanisms that promote open sharing while addressing power imbalances and protecting digital rights. We published opinions and analyses that took a closer look at the different developments in this space, including the phenomenon of "open washing." As part of our work in this area, we engaged a fellow, Nadia Nadesan, who explored the frictions in the governance of AI technologies through [a series of articles](#).

We co-authored a position paper on "[Supporting Open Source and Open Science in the EU AI Act](#)" with Hugging Face, Eleuther.ai, LAION, GitHub, and Creative Commons. The paper was prompted by the inclusion of issues related to copyright law and open-source development in the AI Act negotiations. Together with our partners, we successfully advocated for our approach to open-source AI development and copyright aspects of AI development. This paper's position had a significant impact on how open-source AI is handled in the final version of the AI Act, as the tiered approach we proposed was adopted in the Act.

We have also been conducting work on understanding how AI training datasets can be governed as a commons and how AI training impacts the commons built by organisations from the open movement. We presented our work in [a webinar](#) organised by the Open Source Initiative and as part of the [Digital Public Goods Alliance's process](#) for establishing a standard for AI as a digital public good. Both of these processes provided opportunities to collaborate on defining positions on AI in the open movement.

The ongoing exploration of issues related to datasets for AI builds on our previous work on the Data Commons. At the end of the year, we were asked by the United Nations University's Center for Policy Research to prepare a [policy brief on Public Data Commons](#).

AI and Creative Labour

In early 2023, we started investigating the impact of the emergence of generative AI on the EU copyright framework. While much of the public discussion about AI and copyright focussed on a number of high-profile lawsuits under American law, [we highlighted that the EU copyright framework does, in fact, provide a balanced regulatory approach to using copyrighted works for AI training](#). This framework gives significant room for academic research uses and allows such uses for other purposes under the condition that machine-readable opt-outs from rightholders are respected. At the same time, we identified that the perceived legal uncertainty around generative AI training poses a significant threat to the open internet.

Based on this analysis, we formulated the objective to create support for the existing regulatory framework through a number of interventions and activities.

Our interventions (such as publications and conference presentations) aimed at highlighting the existence of a unique European regulatory effort that effectively balances the interests of rightholders, researchers, and AI developers and limits copyright overreach. This effort was capped by a [panel discussion in the European Parliament](#) that we organised with [FEPS](#) in early December.

Throughout the year, we engaged with other stakeholders stakeholders, to develop technical standards for machine readable opt outs. These interactions included a stakeholder seminar in Brussels in June that brought together representatives from rightholders, civil societies, and AI developers with officials from the European Commission's Copyright Unit. The outcomes of this seminar have fed into our [policy brief on defining best practices for opting out of ML training](#). In addition we have been in regular interaction with EU policy makers and representatives of rightholders and technology companies.

In the second half of the year, we also undertook efforts to steer the discussion about copyright in the AI Act in the direction of further establishing the existing TDM exceptions as the relevant regulatory framework. For this work, we have closely collaborated with [COMMUNIA](#). The final compromise language of the AIA act that was agreed on in December 2023 [reflects these efforts](#).

The other key event for the AI and Creative Labour work was the already mentioned [Creative Commons Summit](#) in the fall, where we ran a day-zero event focused on AI, Creators and the Commons. Based on a discussion at the workshop and subsequent conversations over the three days of the summit, the group identified a set of seven principles that could guide further work on creating an equitable framework for the regulation of generative AI around the world. These principles were published as part of a statement on "[Making AI work for Creators and the Commons](#)" which was published on the Creative Commons blog.

3.2 Digital Public Space

Public Digital Infrastructure

In 2023, we continued advocating for a European Public Digital Infrastructure fund based on our [2022 whitepaper](#). As part of this effort, we initiated a joint civil society statement supporting democratic digital infrastructures signed by more than 40 civil society organisations. In June 2023, we organised a civil society strategy workshop that brought together more than 30 activists from across the EU working on digital policy issues. We also hosted [2 sessions at the 2023 Public Spaces conference in Amsterdam](#) (which we co-organised). In the run-up to the conference, we worked with representatives of the Dutch, French, and German governments on aligning support for public digital infrastructures by creating a European Digital Infrastructure consortium (efforts to establish this consortium were still ongoing at the end of 2023). As part of our work on advocating for the Fund, we worked with a fellow Krzysztof Siewicz, who researched the regulatory requirements and potential challenges of establishing such an entity. This work led to the publication of [a white paper exploring these questions](#).

In the spring of 2023, we formed a consortium that successfully obtained a Horizon Europe grant for the [NGI Commons project](#). This project, which starts in January 2024, has the objective of working with the European Commission to integrate and align national and European digital commons policies. The project seeks to elaborate on a long-term strategy for public digital infrastructure funding. Open Future will coordinate the policy strategy work package, providing us with a favourable position to strengthen European policies to support public digital infrastructure investment.

We also worked with our partners within the EDRi network on drafting an EDRI position on the proposal for a Digital Euro that incorporates a strong commitment to developing the required infrastructure as public infrastructure. This position provides the basis for ongoing efforts by us and other EDRi members to improve the proposal currently being discussed by the EU legislator.

Finally, as part of our work on European Public Digital Infrastructure, we engaged a fellow, Clément Perarnaud. During his ongoing fellowship, Clement investigated the EU's Internet standardisation policies, assessed new digital sovereignty-oriented measures, and pointed out inconsistencies in the current vision for the open Internet.

Interoperability

In 2023, we continued to explore interoperability policies as a supporting activity for our Public Digital Infrastructure's work. We were invited to collaborate with the Missing Layers collaborative, initiated by the Ford Foundation, Microsoft, and New America. In May, with the Critical Infrastructure Lab at the University of Amsterdam, we organised a closed-door policy workshop on "Standards, Protocols, and Ecosystems." The workshop was meant to provide European policy recommendations building on the Missing Layers framework and focusing on interoperability and sovereignty. For this hybrid workshop, we brought together 25 experts from the field. The outcomes were presented in the report "[Shifting Terrain: Standards, Protocols, and Ecosystems](#)."

Digital rights and sustainability

We investigated the concept of digital rights and its connections with the digital public space in order to strengthen the conceptual foundation of our advocacy work. This resulted in the publication of a policy paper titled "Digital Rights Revisited: A Rights-based Approach to Constructing Digital Public Spaces."

Finally, as part of our effort to make a comprehensive case for Public Digital Infrastructure, we began exploring questions about ICT's energy sustainability. In September, we published an analysis on Addressing AI Energy Consumption: "[Why the EU Must Embrace Ecodesign for Software](#)."

4. COMMUNICATION

In 2023, we began working on a more intentional engagement of our stakeholders across different lines of work. To this end, in 2023, we hired an Engagement Lead, responsible both for traditional forms of communication and more advanced forms of engaging with partners and stakeholders. Our approach to engagement is designed to support our knowledge-making. It relies on original publications: policy briefs, white papers, research reports, opinion pieces, and external engagements such as events, workshops, talks, and panels. In 2023, we started experimenting with campaigns: reusing and repurposing our content to attract the attention of key stakeholders and engage them in meaningful conversations.

4.1 Publishing and dissemination

In 2023, we published 13 publications and 38 shorter forms (opinions and analyses), which reflects one of our goals to blog more regularly and in the open. We also sent out 10 issues of our monthly newsletter with over five hundred subscribers and a high opening rate (over 50%). One of the most popular reads on our website was [a series of responses to our “Paradox of Open” essay](#), which we decided to resurface because of [“Shifting tides,”](#) a qualitative study of the open movement.

To blog more dynamically and not overly rely on proprietary social media, we made changes to the website, [allowing us to share short notes documenting our work and progress](#) without necessarily having to author an opinion piece.

We communicate regularly across several social media channels ([X](#), [LinkedIn](#), [Mastodon](#)), where our following has been steadily increasing – in 2023, it doubled in the case of LinkedIn and Mastodon. Because of the ongoing issues with X (formerly Twitter), we are considering to start using Threads in 2024.

4.2 Events and Public Speaking

In 2023, we participated in 58 events, 7 of which were media appearances. Our work on copyright, interoperability, and the AI Act (especially the statement on [“Supporting Open Source and Open Science”](#)) was repeatedly mentioned by traditional media such as Politico, The Verge, and Venture Beat. Both in-person events (last year, we attended 20) and online events (we took part in 18) are a very important part of our work process. We are a small team, and it is crucial for us to connect, exchange, and conceptualise our policy recommendations with peers.

In 2023, we partnered with other organisations to conduct several in-person events, which we described in more detail in the Impact part: [a strategy workshop on Digital Public Spaces](#), the PublicSpaces conference in Amsterdam, an open movement strategy convening [“Strategic Tensions”](#) in Berlin, a [“Standards, Protocols and Ecosystems”](#) workshop in Amsterdam, [and a side event to the CC Summit](#) on “AI, Creators and the Commons.”

Since AI has become a more and more relevant topic for our stakeholders, we have been organising monthly, invite-only [AI and the Commons community calls](#) to explore solutions to the issues that AI development poses to the Digital Commons. We have created an engaged group of more than 70 activists, legal and technical experts, and stewards of the commons engaged in the topic. The meetings are examples of our work on developing shared perspectives and strategies in the open movement.

5. ORGANISATION AND SUSTAINABILITY

Regarding organisational development, the most important event was the hiring of Alicja Peszkowska as the Engagement Lead in March 2023. By establishing this position, we are increasing our capacity to build engagement around our analytical outputs. Throughout the year, we worked as a four-person team of the three co-directors supported by the Engagement Lead. We also had three new fellows in our fellowship program: Nadia Nadesan, Clement Perenaud, and dr Krzysztof Siewicz.

We continue functioning as a remote team and aim to meet every two months, on average, for meetings that focus on planning, strategy, and team integration.

5.1 Sustainability

We are committed to running Open Future in an environmentally friendly and sustainable way. Our operation as a remote organisation allowed us to produce relatively few emissions directly related to our daily operations¹.

Our most relevant sources of emissions are those related to travel by team members for either team meetings or in-person events attendance. To minimise the CO₂ emissions generated by travel, we follow our travel policy, which encourages rail travel over other means of transportation², and requires us to track and compensate for travel-related CO₂ emissions. Furthermore, all international travel is reviewed by the directors, with the aim of reducing the amount of travel that we do.

By implementing such a policy, in 2023 we caused the following CO₂ emissions³ by travel undertaken by our team members. The amounts of saved CO₂ account for train trips where the duration is longer than 5 hours calculated as the difference between emissions for train and air travel:

¹ To minimise the emissions related to the products or services we consume, we select, wherever possible, vendors that provide carbon-neutral products or services – such as our hosting provider, [greenhost](#).

² By banning air travel for trips that take 5 hours or less by train and encouraging rail travel by paying for first-class train tickets for trips longer than 300 km.

³ Calculation based on search results returned by [ecopassenger.org](#).

Type	Number of trips	CO ₂ emitted (in kg)	CO ₂ saved (in kg)
Air travel	26	8.670	
Car	1	67	
Rail Travel	21	856	1.206
Total	48	9.593	1.206

We have compensated for these 9.593 kgs of CO₂ emissions by purchasing Fair Trade Gold standard certificates for 10 tons of verified emission reductions through the Fair Climate Funds.

6. FINANCIAL

The Arcadia Fund grant is Open Future's main source of funding. Combined with a grant from the Open Society Foundations (OSF) in 2021 and an additional grant from OSF for 2023-2026, it covers the core of our operations. As projected in our original proposals, the relative share of Arcadia's contribution to our overall budget is shrinking: From 70% in 2021 and 2022 to 55% in 2023. This is the result of our increased fundraising capacity. In 2023, we received new grants from the Open Society Foundations (€270K over three years), Omidyar Foundation (€30K), NORAD (€25K), and the New America Foundation (€13K). In addition, we have been awarded a Horizon Europe project that will contribute €450K for three years starting in 2024.

Our total expenses (and corresponding income) have increased slightly from €422K in 2022 to €451K in 2023. This is short of the €530K budget target we had formulated for 2023, but as outlined above, we feel that we have still managed to achieve the goals formulated in our 2023 work plan.

6.1 Budget vs. Actual

The following table provides an overview of the budget versus actual expenses during 2023. Our overall budget projected expenses of €530.000 and income to match. Of this income, €335.168 was pledged at the beginning of the year, and €194.832 was a fundraising goal.

Our total expenses and income (€451.117) are 15% below the budgeted amounts. This is due to underspending on staff and activity costs. Although we did not reach our fundraising goal, we raised enough additional income from 4 different donors (€120.806) to cover our operating expenses.

	2022 (Budget)	2022 (Actual)
Expenses	€530.000	€451.117
Personal Costs	€396.000	€344.797
Activity Costs	€108.000	€83.850
Overhead Costs	€26.000	€22.470
Income	€530.000	€451.117
Arcadia	€250.000	€250.000
Open Society Foundations (old)	€75.168	€121.761
Internet archive	€10.000	€10.000
Omidyar		€30.136
NORAD		€25.359
New America		€13.398
Other		460
To raise	€194.832	0

7. OUTLOOK & SUSTAINABILITY

As outlined in the work plan submitted with this report, we plan to spend a total of €620,000 in 2024. We currently have commitments (including Arcadia's 2024 contribution of €250,000) of €495,000 for 2023, which covers 79% of our projected expenses.

