

**Question for written answer E-000849/2020
to the Commission**

Rule 138

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Subject: Microsoft Windows 10 in European local authorities

IT is part of our critical infrastructure, and in European local authorities as well IT means Microsoft Windows and Microsoft Office. It is as if European drivers could only buy cars made by one US manufacturer. As a result, European local authorities and European industry are totally dependent on a foreign monopoly supplier and are required to kow-tow to a foreign legal system and comply with foreign court judgments, which apply to Microsoft in the EU as well. To make matters worse, Windows 10 systematically transmits personal data to Microsoft. Little is known about how that data is used. The upshot is that local authorities may find themselves facing legal action for breaches of the data protection rules and the German Industrial Constitution Law. Background: '[...] The Data Protection Officers of the Federal Government and the Länder see little scope for using Microsoft's Windows 10 operating system in accordance with the law [...]' ¹

Instead, standard programmes could be developed at EU level and made available to local authorities free of charge. This standard software could also be hosted in regional data centres in the EU and interested local authorities could transfer their IT operations to those centres. Of course, each local authority would be required to tailor the standard programmes to local needs and operate them independently, either from their own data centres or in an EU cloud.

1. Are there alternatives to monopoly costs and data protection problems?
2. Does the Commission see any scope for offering greater support for the use of free openware such as Linux and OpenOffice/LibreOffice?

¹ <https://www.heise.de/newsticker/meldung/Datenschutzkonferenz-Hohe-Huerden-fuer-den-Einsatz-von-Windows-10-4584678.html>