

Subject: [GA] LLW2018
From: ----- <-----@fsfe.org>
Date: 27/04/18 16:32
To: ga@lists.fsfe.org

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Dear all,

For your information, I would like to let you know about one recent case during agenda setting process at this year's Free Software Legal & Licensing Workshop (LLW) that I feel needs to be flagged with you. As a result of this case, a donor for the LLW managed to successfully push through a rejected talk to the official agenda of LLW2018 after the decision of rejection was taken by the FSFE Legal Team (LT), as organisers, and has been communicated to the parties involved.

Disclaimer: I take full responsibility for my actions and I don't want to blame anybody else within the FSFE for how it turned out, however, I regret the decision I took at the time, and the way I handled the situation. I have flagged this issue to Matthias. We agree that we need to make sure nothing similar happens again.

Background

Agenda setting of the LLW has not been standardised throughout the years. Previously it has been only done within the most active members of the LT by individual voting in the thread started by the Legal Coordinator. This year, we expanded the evaluation process to also include the members of the Council of the Legal Network (LN Council). In order to ensure the most objective outcome of the evaluations, we also introduced the ranking system in several categories reserved for content and speaker abilities, and did not share any individual ratings between the members of LT and the LN Council before the final results were generated.

Call for Papers was conducted in 2 rounds, and each round of submission was circulated between the LT and the LN Council. The final rankings of all proposed and evaluated submissions were also circulated, along with the agenda drafts on numerous occasions. After the final feedback round and trying to accommodate all the feedback received, I proceeded with confirming the speakers, and rejecting the proposals that did not make it before publishing the agenda to the Legal Network.

After one company's talk, that was very poorly rated within the LT and the LN Council, got rejected by my e-mail, I received following communications complaining about exclusion of the aforementioned talk:

* ----- who was advertised as a co-speaker, started the thread on the LT about re-evaluating the decision of rejecting the aforementioned submission by asking to include them in the agenda. His e-mail followed by several +1 by the members of LT, none of whom had raised any concerns with the previously circulated agenda drafts in preceding feedback rounds, nor indicating any specific importance of the aforementioned submission for the event earlier.

* -----, second co-speaker for the aforementioned submission, and CEO of -----, which is one of the sponsors for LLW2018, sent me (while cc-ing all the co-speakers and an external LN member) a slightly uncomfortable e-mail, demanding for explanation about our internal agenda setting process, including the list of names of individuals involved in the evaluation of submissions. He also hinted to the fact that sponsors can pull out their sponsorship due to the current poor organisation of the event.

The tone and the sense of entitlement to the information he asked is in my opinion inappropriate. I, nevertheless, provided all the requested information.

After this sudden unsolicited feedback round on LT, resulting in some LT members' indicating the usefulness of the aforementioned rejected talk, I included this

presentation into the official agenda of LLW2018, mostly due to the time pressure and trusting the opinion of the LT. I did voice out my reservation regarding this submission to the LT, although I did not listen to my gut feeling, and while knowing that several other submissions ranked much higher during the previous evaluation round.

Result

Looking back, what we ended up is a potential conflict of interest:

- 1) ----- pushed hard for getting in a talk that directly advertised their work and with their CEO as a co-speaker.
- 2) Discussion on the LT happened without ----- mentioning he is a co-speaker, nor that the company submitting the talk is a sponsor of ----- project which he leads.
- 3) Several members of LT who participated in the discussion for inclusion of the aforementioned submission into the official agenda work for ----- or are somehow affiliated with it.

I realise that I should have taken firmer stance on this, and should not have taken the decision to include the aforementioned presentation into the official agenda of LLW2018, despite the collective decision taken in LT.

In order to make sure that something similar does not happen again, for the future, we should focus within the FSFE LT to make sure that our internal processes are clearer, as well as followed and adhered to, in order to make the LLW agenda setting process more objective, neutral and transparent, and to protect the FSFE's integrity.

Kind regards,

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