



CIO Rijk, CIO-beraad, CTO-raad, deelnemers SLM Microsoft, Google Cloud en AWS, geïnteresseerden

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memo Usability EU-based public cloud providers

Strategic Vendor Management Microsoft, Google Cloud, and AWS for the central Dutch government (SLM) has been in contact with the France-based public cloud provider OVH since the end of 2022. The goal was to determine if OVHCloud could qualify as a public cloud provider for the Dutch Government on terms and conditions equivalent to those with Microsoft, Google Cloud, and AWS. This is to answer the growing demand for less dependence on US-based companies.

Datum
2 september 2024

Onze referentie
xxxxx

SLM is unwavering in its commitment to a level playing field for vendors of similar functionality to the Government, where they are all held to the same standards. To uphold this principle of equality, SLM's intention was to investigate OVH the same way the three hyperscalers have been.

After a meeting at OVH's head office in Paris in May 2023, SLM proceeded with an initial investigation of the OVHCloud terms and conditions, DPA, and description of the Chinese wall between the OVH group's EU and US companies.

After receiving and studying the information from OVH, SLM has several questions about the Data Sovereignty and Cloud Act, the General Terms and Conditions, and the DPA, which were shared with OVH early January 2024.

OVH promised to get back to the questions raised by SLM and even expected to be able to have an answer still in January 2024. A friendly reminder that the questions were not answered yet in March 2023 had no result.

In mid-July 2024, SLM contacted OVH again and offered to restart the cooperation needed for its initial investigation. At the date of this memo, SLM still needs to receive an answer to the questions or a counterproposal to restart the cooperation.

SLM supports the search for the usability of EU-based public cloud providers, but it is crucial that these providers understand that their cooperation and transparency are not just desired but required for a proper assessment by SLM. Without both cooperation and transparency, the compliance level cannot be determined, and the process is significantly hindered.

At this moment, SLM must conclude that, due to OVH's lack of cooperation, it cannot determine whether the terms and conditions suit the level of compliance needed for Dutch Central Government organizations or can be made to suit them.

Best regards,
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